

ROUTLEDGE STUDIES IN NINETEENTH-CENTURY PHILOSOPHY

Dialectics, Politics, and the Contemporary Value of Hegel's Practical Philosophy

Andrew Buchwalter



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**To Kate, Sam, and Julian,
through whom much of my engagement with
Hegel has been mediated.**

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Abbreviations

DFS	<i>The Difference Between Fichte's and Schelling's System of Philosophy</i> (1977)
EGP	<i>Einleitung in die Geschichte der Philosophie</i> (1966)
ELG	<i>The Encyclopaedia Logic: Part I of the Encyclopaedia of Philosophical Sciences</i> (Geraets et al. trans.) (1991)
ELW	<i>Hegel's Logic, Being Part One of the Encyclopedia of Philosophical Sciences</i> (Wallace trans.) (1982)
EM	<i>Philosophy of Mind. Encyclopedia of Philosophical Sciences, Part III</i> (1971)
EN	<i>Hegel's Philosophy of Nature: Being Part Two of the Encyclopedia of the Philosophical Sciences</i> (1970)
EPC	"On the Essence of Philosophical Criticism and its Relationship to the Present State of Philosophy in Particular," <i>Between Kant and Hegel</i> (1995)
ETW	<i>Early Theological Writing</i> (1948/1971)
FK	<i>Faith and Knowledge</i> (1977)
FPS	<i>Frühe Politische Systeme</i> (1974)
ILHP	<i>Introduction to the Lectures on the History of Philosophy</i> (1985)
JS	<i>Jenaer Systementwürfe III. Naturphilosophie und Philosophie des Geistes</i> (1987)
LHP	<i>Lectures on the History of Philosophy. 3 Volumes</i> ([1896] 1983)
LPR1	<i>Lectures on the Philosophy of Religion Volume I</i> (1984).
LPR2	<i>Lectures on the Philosophy of Religion Volume II</i> (1987)
LPR3	<i>Lectures on the Philosophy of Religion. Volume III</i> (1985)
LPWH	<i>Lectures on the Philosophy of World History: Introduction</i> (1975)
Letters	<i>The Letters</i> (1984)
NL	<i>Natural Law</i> (1975)

x *Abbreviations*

PH	<i>The Philosophy of History</i> (1956)
PM	<i>The Phenomenology of Mind</i> (Baillie trans.) (1967)
PR	<i>Elements of the Philosophy of Right</i> (Nisbet trans.) (1991)
PRK	<i>The Philosophy of Right</i> (Knox trans.) (1967)
PS	<i>Phenomenology of Spirit</i> (Miller trans.) (1977)
PWK	<i>Hegel's Political Writings</i> (Knox trans.) (1964)
PWN	<i>Political Writings</i> (Nisbet trans.) (1999)
SEL	<i>System of Ethical Life and First Philosophy of Spirit</i> (1979)
SL	<i>Hegel's Science of Logic</i> (1969)
VNSW	<i>Vorlesungen über Naturrecht und Staatswissenschaft 1817/18</i> (1983)
VPRHe	<i>Philosophie des Rechts. Die Vorlesung von 1819/20 in einer Nachschrift</i> (1983)
VPRHo	<i>Die Philosophie des Rechts. Vorlesung von 1821/22</i> (2005)
VPW	<i>Vorlesungen über die Philosophie der Weltgeschichte Band I</i> (1994)
VRP	<i>Vorlesungen über Rechtsphilosophie 1818-1831. 4 Volumes</i> (1973)
Werke	<i>Werke in zwanzig Bänden</i> (1970)

Preface

In this book, I seek to shed new light on Hegel's practical philosophy, especially as expressed in his social and political thought. My analysis draws on Hegel's oft-criticized conception of dialectics, which I understand as the three-fold determination to challenge abstract dualities, to discern commonalities in seeming differences, and to specify the differentiated character of resultant commonalities. The book focuses on the contemporary value of Hegel's practical philosophy, especially with regard to themes that engage practical philosophy today. I am particularly concerned to relate Hegel to thinkers who in one way or another have themselves engaged Hegel on topics of practical philosophy. Two considerations guide this "contemporizing" approach. First, I maintain that Hegel's practical philosophy is not only relevant to debates in social and political theory today, it can enhance and enrich those debates. Indeed, I contend that Hegel furnishes ways to address issues in social and political life today that are often more instructive than approaches that are dismissive of Hegelian thought. Second, I hold that appreciation of the contemporary relevance of Hegel's thought facilitates understanding of his distinctive conception of practical philosophy. Construing Hegel's thought in terms of themes and topics that are of current interest enables us to grasp its meaning in ways more fruitful than directly expository approaches.

This book is the result of a long-term engagement on my part with Hegel and his practical philosophy. I would like to thank the individuals who in one way or another played a special role in initiating me into the complexities of Hegelian thought: John Findlay, Dieter Henrich, Albert Hofstadter, Alasdair MacIntyre, Jacques Taminiaux, and Michael Theunissen. Over the years, the following individuals have provided significant advice and assistance, and I am grateful to them as well: Emil Angehrn, Seyla Benhabib, Tony Burns, Klaus Düsing, Philip Grier, Jürgen Habermas, Axel Honneth, Rudolf Makkreel, Thomas McCarthy, John McCumber, Otto Pöggeler, Michael Quante, David Rasmussen, Erzsébet Rózsa, James Schmidt, Ludwig Siep, Peter Stillman, Simon Thompson, Klaus Vieweg, Georgia Warnke, Marx Wartofsky, and Richard Weiner.

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Earlier versions of nearly all the chapters of this book were presented at meetings of various organizations, including the American Philosophical Association, American Political Science Association, the Prague Conference on Philosophy and Social Sciences, the Conference on Value Inquiry, the Hegel Society of America, the International Association of Law and Social Philosophy, the Internationale Hegel-Gesellschaft, the Midwest Political Science Association, and the Society for Phenomenology and Existential Philosophy. Versions were also presented in colloquia and symposia at the various colleges and universities, including the New School for Social Research, Rhode Island College, the Institute for Christian Studies in Toronto, Tilburg University, the University of Bochum, the University of Bremen, the University of Debrecen, the University of Frankfurt, the University of Nottingham, Union College, and Yale University. I wish to thank the sponsors of these events and all the participants for useful comments and criticism.

Versions of most of the chapters that comprise this book have been previously published, sometimes in very different form, in journals and collections. I am grateful for permission to reprint: Chapter 2, "Hegel, Marx, and the Concept of Immanent Critique," in *Journal of the History of Philosophy* 29, no. 2 (April 1991); Chapter 3, "Hegel, Adorno, and the Concept of Transcendent Critique," in *Philosophy and Social Criticism* 12, no. 4 (1987); Chapter 4, "Law, Culture, and Constitutionalism: Remarks on Hegel and Habermas," in *Beyond Liberalism and Communitarianism*, ed. Robert Williams, State University of New York Press © 2001 State University of New York; Chapter 5, "Political Pluralism in Hegel and Rawls," in *Pluralism and the Pragmatic Turn: The Transformation of Critical Theory*, ed. William Rehg and James Bohman, MIT Press, 2001; Chapter 6, "Hegel and the Doctrine of Expressivism," in *Artifacts, Representation, and Social Practice*, ed. Robert Cohen, Kluwer Academic © 1994 Kluwer Academic; Chapter 7, "Hegel, Hobbes, Kant, and the Scienticization of Practical Philosophy," in *Hegel on the Modern World*, ed. Ardis Collins, State University of New York Press © 1995 State University of New York; Chapter 8, "Hegel's Concept of Virtue," in *Political Theory* 20, no. 4 (November 1992); Chapter 9, "Political Theory and Modern Republicanism: Hegel's Conception of the State as an 'Earthly Divinity,'" in *Deutsche Zeitschrift für Philosophie* 56 no. 4 (2008); Chapter 10, "Hegel's Conception of an International 'We,'" in *Identity and Difference in Hegel's Logic, Philosophy of Spirit, and Politics*, ed. Philip T. Grier, State University of New York Press, 2007; Chapter 11, "Hegel, Global Justice, and the Logic of Recognition," forthcoming in *Global Justice and the Politics of Recognition*, eds. Tony Burns and Simon Thomson, Palgrave Macmillan, 2011; and Chapter 12, "Is Hegel's Philosophy of History Eurocentric?" in *Hegel and History*, ed. William Dudley, State University of New York Press, 2009.

1 Introduction

Dialectics, Politics, and the Contemporary Value of Hegel's Practical Philosophy

No concept is more central to Hegel's thought than dialectics, and yet none is more contested. Hegel's critics have commonly invoked dialectics—with its seeming rejection of the law of non-contradiction and its seemingly obscure claims about the structure of reality—to illustrate the flawed nature of his entire philosophical enterprise.¹ Even those sympathetic to Hegel have dismissed his reliance on dialectics, identifying it as the animating principle of a system of metaphysical speculation bereft of merit and credibility.² This book rejects such views. It is my contention that Hegel's concept of dialectics is not only intelligible, but that it is material to an appreciation of the meaning and continuing value of his thought. My focus is on Hegel's practical philosophy, which in Hegel's thought attends—also for reasons relevant to his conception of dialectics—first and foremost to his conception of social and political philosophy. I argue that appreciation of the meaning and significance of his practical philosophy is illuminated by reference to his dialectical project and his *dialectical conception of rationality*.

Some commentators have sought to account for the continuing value of Hegelian dialectics, especially as it pertains to his practical philosophy, by appealing to the meaning and significance it can possess in spite and independently of his logical-metaphysical writings.³ By contrast, my analysis proceeds from the view that Hegel's concept of dialectics cannot be separated from his broader notions of logic and metaphysics. Against both critics of Hegel's account of dialectics and his partial defenders, I claim that appeal to Hegel's broader account of philosophy, far from undermining the significance of Hegelian dialectics, is central to its proper appreciation. In this regard, I reject the assumption underlying these approaches to Hegel's dialectic, that Hegel's logical and metaphysical writings are reducible to a form of dogmatic speculation—a system of “speculative theodicy,”⁴ as some have asserted—devoid of philosophical value. Instead, I accept as interpretively useful the general directive that Hegel proffers in the “Preface” to the *Elements of the Philosophy of Right*, his chief work in political philosophy: “the work as a whole, like the construction of its parts, is based on the logical spirit” and “[i]t is chiefly from this point of view that I would like this treatise to be understood and judged.”⁵

2 *Dialectics, Politics, and the Value of Hegel's Practical Philosophy*

To be sure, I do not deny that there is much that is obscure or even arbitrary in Hegel's method of philosophizing or in his account of reality. Nor am I advocating any mechanical application of Hegel's logical-metaphysical apparatus to the domain of social and political life, an approach clearly rejected by Hegel himself. I certainly dispute the notion that appeal to his logic and metaphysics holds a passkey that unlocks the mysteries of Hegel's thought—that it will somehow uncover that “secret of Hegel” that James Stirling sought to disclose—in vain, it is said—already 150 years ago.⁶ I do claim, however, that many of the concepts and categories that Hegel does employ in elaborating his practical philosophy (e.g., actuality, community, comprehension, externality, existence, freedom, holism, identity, objectivity, reciprocity, science, selfhood, self-consciousness, self-determination, spirit, subjectivity, totality, truth, unity, as well as dialectic) are best understood only with reference to the claims and assumptions basic to his broader philosophical undertaking.⁷

In this introduction, I specify general components of Hegel's dialectical approach to practical philosophy. My discussion is divided into three parts. First, I note some general features of Hegel's concept of dialectics, focusing especially on the latter's application to his political philosophy and what he calls his theory of objective spirit. Second, I detail some of the basic elements of Hegel's practical philosophy as they are explored in this book. Included here is consideration of Hegel's distinctive “rehabilitation” of the tradition of practical philosophy, the theoretical dimension of his account of practical philosophy, the uniquely normative dimension of his work, the centrality of the concept of subjectivity and its relation to his account of intersubjectivity, the distinctive modernity of his practical thought, his understanding of the relationship of religion and politics, the degree to which his practical philosophy extends to current account of globalization and global justice, and the practical dimension of philosophy itself. Third, I address the contemporary relevance of Hegel's thought, focusing especially on what such relevance might mean from the perspective of Hegel's thought itself.

I DIALECTICS AND POLITICS

Dialectics is a multifaceted and highly complex concept in Hegel's *oeuvre*, reason no doubt why it is also so contested.⁸ Generally speaking, though, dialectics, for Hegel, is an approach to thought and reality that challenges abstract dualities, identifies commonalities in differences, and specifies the differentiated or “mediated” character of commonalities themselves. Hegel characterizes dialectics as an effort to locate the “identity of identity and non-identity.”⁹ For the purposes of this book, five elements of this general effort should be noted.

First, dialectics is an approach to thought and being that seeks to surmount dichotomies and dualities, not by eliminating them but by

demonstrating the degree to which seeming contrarities presuppose and entail one another.¹⁰ Second, dialectics endeavors to establish connections between seeming opposites by depicting the self-transformative nature of entities themselves.¹¹ Third, dialectics is an account of the genuine nature of things, one asserting that entities are properly constituted in the mediation of the diverse elements comprising them.¹² Fourth, dialectics connotes a concept of philosophical rationality in which assertions about objects go hand in hand with reflection on the conditions and legitimacy of assertion-making itself.¹³ Fifth, attentive as it is to the degree the negative inheres the positive (no less than the positive in the negative), dialectics represents a process of epistemological and methodological self-reflexivity that challenges claims to closure and completeness while mandating open-endedness and ongoing reflexivity.¹⁴

Hegel provides his most explicit articulation of his dialectical method in his logical writings, above all the *Science of Logic*. Yet the method he elaborates there is not advanced as a formal tool that need only be applied to specific object domains. Consonant with his rejection of any abstract opposition of form and content, Hegel maintains rather that what specifically counts as dialectical procedure is shaped by the various object domains themselves. Not only does he allow that the various spheres detailed in his system—thought, nature, and spirit—are each defined by their own internal logics; he claims as well that the principles of dialectical argumentation adumbrated in the logic assume richer and more complete expression as the various domains to which they are applied themselves give expression to more nuanced forms of internal self-differentiation. Thus, while dialectics operates at all levels of his philosophical system, it assumes its most distinctive articulation in his *Philosophy of Spirit*—after the *Science of Logic* and the *Philosophy of Nature*, the third and final component of his *Encyclopaedia of the Philosophical Sciences*. Directed to the multiple modes of human existence and experience (above all, individual self-awareness, political self-realization, or cultural self-comprehension), the *Philosophy of Spirit* thematizes the conjunction of substance and subjectivity connoted by the concept of spirit (*Geist*). As such, the *Philosophy of Spirit* has a special value for an account of dialectics. As the reflective unity of substance and subjectivity, spirit not only articulates the identity and identity and difference central to the concept of dialectics; it distinctively exemplifies specific features of dialectical reasoning (e.g., the notions of internal self-formation and self-transcendence central to a dialectical account of experience, internal self-differentiation central to a dialectical account of reality, and internal self-reflexivity central to a dialectical account of rationality).

Yet if Hegel posits a special connection between dialectics and the philosophy of spirit, he assigns an even greater significance to the relationship of dialectics and the *Philosophy of Objective Spirit*. The *Philosophy of Objective Spirit* encompasses Hegel's practical philosophy generally, comprising the spheres of law, morality, family, society, politics, ethicality or

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ethical life, international relations, and history. Within the *Encyclopaedia of Philosophical Sciences*, the theory of Objective Spirit occupies a “middle” zone, between Subjective Spirit (psychology, the philosophy of mind, and consciousness theory) and Absolute Spirit (art, religion, and philosophy). Its particular subject matter is the realization of spirit in existing reality and the general intermediation of internal and external conditions of human experience. As such, the doctrine of Objective Spirit represents the domain of “difference,” “opposition,” or “bifurcation” in the *Philosophy of Spirit*. Not only does this doctrine have as its point of departure the “differences which arise from the circumstance that freedom is its *inward* function and aim, and is in relation to an *externally* preexisting objectivity,”¹⁵ and not only is its elaboration propelled by the process of the spirit’s self-differentiation—its process of “particularizing, determining itself, making itself . . . into the other of itself,”¹⁶ its very subject matter—the realization of freedom “under the shape of necessity”¹⁷—subsists in just the relationship of seeming opposites. Accordingly, the *Philosophy of Objective Spirit* supplies an especially rich terrain for a dialectical account of rationality. It is formulated in response to dualities and oppositions that motivate dialectical analysis. It articulates the modes of self-externalization central to a notion of dialectics understood as a process of internal self-transformation. And its subject matter reposes in the intermediation of differences constitutive of entities comprising a dialectical account of reality.

The special relationship between practical philosophy and dialectics may be noted further by considering the *Philosophy of Right* itself, the stand-alone elaboration of the *Philosophy of Objective Spirit*. Perhaps more than any of his mature writings, Hegel’s *Philosophy of Right* is conceived as a response to trends in modern society.¹⁸ It is here that Hegel makes his famous claim that philosophy “is its own time comprehended in thought.”¹⁹ What characterized then modern society, however, was the degree to which it is riven by change, transformation, and bifurcation (*Entzweiung*). This is especially evident in the account of modern civil society, itself presented as “the stage of difference”²⁰ and the moment of “bifurcation”²¹ in his theory of ethical life (*Sittlichkeit*), the overarching category in his social and political thought. Shaped by developments in commerce, modern civil society is characterized by many of the tensions and antagonisms of modernity generally:²² free market individualism and governmental regulation, individual liberty and bureaucratic administration, occupational specialization and expressivist self-fulfillment, familial intimacy and social anonymity, legal equality and social distinction, individual poverty and societal wealth, personal self-reliance and state assistance, individual autonomy and social interdependency, and civic privatism and public responsibility. To the extent, then, that Hegel’s dialectics is motivated by an effort both to locate commonalities in existing oppositions and to fashion commonalities in the face of such antagonisms, it finds especially fertile ground in the *Philosophy of Right*.

Stated more broadly, Hegel's political theory robustly articulates the modes of dialectical analysis noted at the outset. It seeks to challenge and surmount many of the dichotomies evident in modern social, political, and cultural life by noting the degree to which each implies and depends on the other for its own developed reality, a point especially important for an analysis of modern social life understood as "a system of all-round interdependence."²³ It seeks to demonstrate how the supersession of such oppositions results not from external operations performed by an outside observer but as a developmental feature of the objects themselves. For instance, Hegel demonstrates the spuriousness of any fixed opposition of self and other by detailing the degree to which individual self-actualization is achievable only in processes of cognitive and practical self-transcendence, those in which a subject not only recognizes its dependency on another, but does so by incorporating that recognition into its own self-understanding.

Further, Hegel's practical philosophy gives distinctive expression to a dialectical ontology, one in which entities properly subsist only to the degree that they are internally differentiated. A legitimate polity, for instance, not only exists through subpolitical domains and associations it encompasses but is fully constituted only in the "self-conscious awareness" on the part of individuals of the relationship between their own interests and community. Additionally, Hegel's practical philosophy articulates the notion of internal self-reflexivity central to a dialectical account of rationality. It provides, for instance, an account of the realization of freedom that is fully achieved only to the degree that individuals establish and recognize their freedom—one reason why Hegel's practical philosophy culminates in a theory of world history understood as progress in the consciousness and self-consciousness of freedom. And finally, history is itself powered by processes of cultural self-comprehension whose presumed completeness always entails self-transcendence and further self-reflection.²⁴ In all these cases, Hegel's practical philosophy affirms the principle of the "identity of identity and non-identity"²⁵ that variously informs his general notion of dialectics.

This book details, scrutinizes, and seeks to shed new light on Hegel's dialectically conceived notion of practical philosophy, especially as it is expressed in his social and political thought. My aim, however, is not first and foremost to provide an exposition or recapitulation of the main elements of that philosophy. Instead, I focus on what in German is called the actuality (*Aktualität*) of Hegel's social and political philosophy—its relevance, topicality, presence, and contemporary value. In particular, I examine Hegel with reference to themes and issues that remain relevant to practical philosophy today. I am especially concerned to relate Hegel to thinkers who in one way or another have themselves engaged Hegel on topics of practical philosophy. In adopting this "contemporizing" approach, I am guided by two considerations. First, my contention is that, properly understood, Hegel's practical philosophy not only remains relevant to debates in social and political theory today but is capable of

productively enhancing and enriching them. Indeed, I argue that Hegel supplies ways to address issues in social and political life today that in various respects are more instructive than approaches dismissive of Hegelian thought. Second, I contend that attending to the contemporary relevance or topicality of Hegel's thought enables current readers to gain special access to the practical philosophy itself. Indeed, by construing Hegel's thought in terms of themes and topics that are of current interest, we may better grasp its meaning and significance than through more directly expository approaches.²⁶

The book is divided into three main sections. Part I considers the relevance and continued merit of Hegel's social and political thought in the context of constructed dialogues with later social and political theorists. Focusing on Hegel's relationship to Marx, Adorno, Habermas, and Rawls, I accentuate Hegel's positive contribution both to a proper understanding of the nature of political life and the conditions for normative political theory generally. Part II explores Hegel's contribution to our general understanding of the modern age. Here I focus on his internal criticism of Enlightenment rationality as well as the unique manner in which his thought reaffirms both the classical tradition of politics and the Christian conception of freedom to deepen and further develop our understanding of modern reason, modern freedom, and modern secularity. Part III considers Hegel's contribution to current theorizing about globalization. Here I argue that Hegel and Hegelian thought generally—assumptions to the contrary notwithstanding—not only address matters of global dialogue, commonality, and justice, but do so in a way sensitive to issues sometimes absent from such theorizing, including national sovereignty, local self-determination, and the diversity of cultural traditions. In varying ways, each chapter instantiates the dialectical focus of the book and its determination to specify the topicality and ongoing merit of Hegel's social and political thought.

II ELEMENTS OF A DIALECTICAL CONCEPTION OF PRACTICAL PHILOSOPHY

In this section, I detail some of the main arguments advanced in this book. In particular, I focus on ten themes that are prominently addressed throughout the book and frame its content as a whole: (1) modernity and the rehabilitation of practical philosophy; (2) practical philosophy as a normative discipline; (3) immanent critique and the concept of spirit; (4) the dialectic of prospective and retrospective analysis; (5) philosophy of the subject and the logic of intersubjectivity; (6) subjectivity, modernity, and republicanism; (7) religion, politics, and secularity; (8) modernism as a philosophical problem; (9) globality, global justice, and interculturalism; and (10) philosophy as practical activity. A survey of Hegel's approach to

these issues facilitates appreciation of the general nature of a dialectical account of practical philosophy and its continuing significance.

1 Modernity and the Rehabilitation of Practical Philosophy

Hegel's practical philosophy is distinguished by its decidedly holistic character, one consonant with the holistic claims of his philosophy generally. While Hegel shares with many modern thinkers a determination to explicate the rights and responsibilities of the individual legal and moral subject, he does not restrict his account of practical philosophy to such concerns.²⁷ Instead, his practical philosophy attends to the basic structures and components of societal life generally. Thus, in addition to its attention to the conditions for individual moral and legal agency, Hegel's practical philosophy addresses the nature of familial, economic, social, and political life, as well as international law and world history. For Hegel, practical philosophy takes the form of a *Philosophy of Objective Spirit*, focused not only on individual rights and responsibilities but on the structures of institutions, communities, cultural entities, and the conditions for human sociation generally.²⁸ It is true that Hegel also presents his practical philosophy as a *Philosophy of Right*, yet right itself is understood to encompass the entire domain of legal, moral, familial, economic, social, political, and historical life.²⁹ Practical philosophy, for Hegel, denotes a holistic social theory dedicated to explicating "all the specific characteristics of practical and ethical life."³⁰

In advancing such an approach, Hegel displays affinities with the general project of a *philosophia practica universalis* proposed by Christian Wolff in the early 1700s. He also reflects ties to Montesquieu, whose *The Spirit of Laws* detailed the degree to which, in Hegel's words, "legislation in general and its particular determinations should not be considered in isolation but rather as a dependent moment within *one* totality, in the context of all the other determinations which constitute the character of a nation and age."³¹ Yet in his own adoption of a holistic account of practical philosophy, Hegel is most clearly aligned with Aristotle.³² As reflected especially in the *Politics*, Aristotle advanced a complex notion of practical philosophy, one encompassing accounts of ethical, political, economic, and family life. In addition, Aristotle clearly linked the conditions for ethical agency to broader forms of civic engagement. Aristotle furthered maintained that legal and political institutions are to be comprehended in the context of a community's traditions, customs, and cultural practices. It is with reference to such holistic considerations that Hegel is often said to "rehabilitate" the Aristotelian tradition of practical philosophy.³³

Yet if Hegel does reaffirm the classical tradition of practical philosophy, he does so under decidedly modern assumptions and presuppositions. Not only does he proceed from the standpoint of the individual legal and moral subject and from the general concept of the free will, he has recourse to

methodological and epistemological considerations clearly distinct from those of Aristotle. For Aristotle, theoretical and practical knowledge, *episteme* and *phronesis*, are sharply demarcated. On this view, famously asserted in Book 1 of the *Nicomachean Ethics*, practical philosophy neither can nor should offer the rigor expected of the theoretical sciences. By contrast, Hegel follows the tradition of practical philosophy that harks back to Hobbes and extends through Spinoza, Kant, and Fichte, one asserting that practical philosophy is subject to the same methodical and epistemological expectations appropriate to the theoretical sciences. For Hegel, the *Philosophy of Right* is informed by “the logical spirit” and is governed by the method of “scientific proof” elaborated in the *Science of Logic*.³⁴ If Hegel’s practical philosophy takes the form of a theory of Objective Spirit, it is also defined as a unity of practical *and* theoretical philosophy. As detailed in Chapter 7 of this book, Hegel reaffirms the holistic features of the classical tradition of practical philosophy, yet he does so not simply with reference to the totality of phenomena comprising the “ethical universe,”³⁵ but—to recall the title of an early articulation of the project—in the form of a *System of Ethical Life*.³⁶

Yet if Hegel shares with modern thinkers the goal of fashioning a “scientific” approach to practical philosophy, he does so in ways that depart from the received formulations. On his view, a “scientific” approach to practical philosophy is not to be construed in geometric, rationalist, or transcendental categories. Instead, Hegel employs the principles of dialectical rationality, those encapsulated in the principle of the “identity of identity and difference.” This approach is fully consonant with the goal of reviving the holist tradition of practical philosophy under modern conditions. In the ancient world, it was possible, owing to perfectionist accounts of human nature and teleological notions of the natural order, to presume an underlying continuity of individual and community, public and private, and ethics and politics. For modern individuals, this option was no longer available, a point addressed in Chapter 8. Given the reality of, *inter alia*, modern natural science, Protestant Christianity, market economies, and atomistic conceptions of human nature, modern social life is essentially characterized by the phenomena of dichotomy, opposition, and bifurcations (*Entzweiung*).³⁷ Under such conditions, the holist account of practical life that formerly had been presumed now had to be explicitly forged, and doing so was just the task of a dialectical conception of reason. Under modern conditions, a holist practical philosophy becomes an effort to discern commonalities in seeming opposites while specifying the internally differentiated character of the commonalities themselves.³⁸

The most obvious way in which Hegel fashions a dialectical holism is through his account of the relationship of individual and community under conditions of modernity. On the one hand, notions of individual legal and moral subjectivity are not fully intelligible on their own terms but depend on an account of membership in a wider ethical community. On the other

hand, community itself lacks meaning and proper reality without incorporating the “right of subjectivity.” Consonant with a dialectically mediated account of philosophical holism, individual and community under modern conditions are, for Hegel, mutually dependent and co-constitutive.

Equally crucial to an understanding of Hegel’s dialectical conception of practical philosophy is the novel approach to normative rationality that informs his investigations into the domain of the practical. This is an approach that surmounts abstract oppositions between descriptive and evaluative considerations. On the one hand, and in line with the Aristotelian tradition of practical philosophy, Hegel’s theory of Objective Spirit proceeds from the findings of empirical investigations—in his case, political economy, positive political science, jurisprudence, historiography, and other social scientific research. On the other hand, and more in keeping with the tradition of practical philosophy associated with Kantianism and modern natural law theory, Hegel construes such research as part of a general philosophy of reality that scrutinizes empirically received data from the standpoint of an account of rationality conceived in terms of a principle of freedom. Moreover, while Hegel clearly does engage in normative analysis, it is not by juxtaposing abstract principles to existing phenomena, but with the understanding that such norms depend for their own meaning and validity on the degree to which they find concrete expression in existing circumstances. In Hegel’s “dialectical” account of practical philosophy, a *Philosophy of Objective Spirit* is, to recall the subtitle of the *Philosophy of Right*, at once a theory of natural law and positive political science.

2 Practical Philosophy as a Normative Discipline

The claim that Hegel’s practical philosophy represents a normative undertaking is indeed contestable. Leaving aside what is commonly deemed to be Hegel’s practice of accommodation vis-à-vis existing social and political arrangements, his own pronouncements seem to militate against a normative reading of his practical philosophy. Not only does he famously preface the *Philosophy of Right* with a rejection of efforts to “issue instruction on how the world ought to be,” he claims as well that his political philosophy has no other task but to specify how existing social phenomena are to be known.³⁹ The function of the *Philosophy of Right* is indeed to comprehend what is.⁴⁰ Nor, it seems, could it be otherwise. Restricting practical philosophy to the comprehension of given reality seems to be entailed by a dialectical conception of reason committed to detailing the connection of thought and being, subject and object, and reason and reality. It seems entailed as well by the theory of Objective Spirit itself, which appears to surpass the tradition of practical philosophy in its emphatic theoretical redefinition of practical reason. It is with regard to this “theoretical absorption of practical philosophy” that some see in Hegel a “decided rejection” of the project of normative practical philosophy itself.⁴¹

To be sure, those who question the normative status of Hegel's practical philosophy do not contend that Hegel construes practical philosophy simply as a descriptive social science. As part of a system of metaphysical speculation determined "to express the essential reality of things,"⁴² Hegelian practical reason aims to articulate the "being of beings," that aspect of entities subsisting over and above their empirical manifestations. Speculative philosophy, for Hegel, is articulated through a process of *Nachdenken*, a second-order reflection dedicated to analyzing and ordering material provided by the empirical sciences. Yet to say that philosophical comprehension goes beyond the empirical scientific analysis is not to say, it is claimed, that it thereby seeks to confront existing reality with normative standards. Instead, rational reflection—"meditation," as it is sometimes translated—is simply part of a metaphysical undertaking meant to discern and distill the core elements of an empirically existing domain of objects. Its aim is "to recognize in the semblance of the temporal and the transient the substance which is immanent and the eternal which is present."⁴³ The task of Hegelian practical philosophy is indeed to depict "the general structures of the social."⁴⁴ At most, practical philosophy on this view might be construed as a "meta-ethical" account of historically developed normative systems. As part of a philosophy of reality committed to "the thinking consideration of objects," it can hardly be construed itself as a normative discipline.⁴⁵

This book challenges such readings of Hegel's project. While Hegel's practical philosophy clearly does take the form of a philosophical science aimed at comprehending the basic structures of social reality, that is not to say that it is not also a normative undertaking. Rather, Hegel's decidedly theoretical approach to practical philosophy is distinguished precisely by its normativity, a point examined particularly in Chapter 2 of this book. This is so, however, not in the sense that Hegel simply assigns normative status to existing relations—a view favored by Hegel's critics from Marx and Haym to the present. If for no other reason, this view misconstrues the nature of comprehension (*Begreifen*) itself. While displaying clear affinities to classical notions of speculation, comprehension is not committed to reflecting or mirroring reality; it is certainly not a contemplative activity in the manner of Aristotelian wonder. Instead, comprehension, for Hegel, denotes a productive activity, one rooted in the processes of conceptual "labor" (*Arbeit*)⁴⁶ or "exertion" (*Anstrengung*).⁴⁷ It represents a *reconstructive* operation that seeks to rework (*umarbeiten*), transform (*umstalten*), and restate what is received empirically or historically from a rational perspective. Hegel does construe comprehension as *Nachdenken*, yet, for him, *Nachdenken* is synonymous with *Nachbildung*.⁴⁸

Hegel's position is reflected in his particular appropriation of the classical definition of truth.⁴⁹ While affirming that truth consists in the correspondence of thought and object, he understands correspondence reconstructively rather than mimetically: at issue is not simply the *adequatio intellectus ad rei* but *rei ad intellectum* as well. As the philosophical cognition of

things, *Begreifen* comprehends reality by construing received claims about entities via their conceptual articulation—indeed, in elevating existence to the concept (*auf den Begriff bringen*). Indeed, far from suggesting that it merely depicts existing reality, Hegel claims that comprehension—and here his speculative ontology is in evidence—connotes the process wherein actuality (*Wirklichkeit*) is itself constituted. It is in comprehension itself that reality attains its status as true or genuine being (*wahrhafte Sein*), actuality proper. Nor is this just an entity-by-entity restatement of existing entities, a state of affairs that would certainly question the status of Hegel's reconstructive undertaking. In line with a general philosophy of reality, the object domain of the theory of Objective Spirit includes entities differently ordered; indeed, it introduces new objects altogether.⁵⁰ If not a generative activity, *Begreifen* is a “transfigurative” undertaking,⁵¹ one that, consonant with a notion of philosophical reason understood as effective knowledge (*wirkliches Wissen*) rather than love of wisdom,⁵² effectuates alteration in the objects themselves.⁵³

Appreciation of the reconstructive nature of Hegel's project of comprehension sheds light on the latter's normative dimension. While opposed to any abstract account of normativity, Hegel does construe the process of rational reconstruction as a historically rooted form of normative analysis, one that not only evaluates existing claims and assumptions from the perspective of an account of rationality but challenges those that are thereby deemed wanting. This is the normative component of Hegel's appropriation of the classical definition of truth, one characterizable as a method of *normative reconstruction*.⁵⁴ “Objects are *true* when they are what they *ought* to be, i.e., when their reality corresponds to their concept.”⁵⁵ Conversely, those that not so correspond, or do so only imperfectly, are shown to be false and defective. They denote that which is “bad . . . insubstantial and broken in itself”⁵⁶—that which “is not, in fact, how it ought to be.”⁵⁷

This normative approach to reality is further distinguished—and perhaps obscured—in its articulation as a philosophy of reality. For Hegel, “normative reconstruction” is also “normative ontology.”⁵⁸ In line with the normative appropriation of the classical definition of truth, a *Realphilosophie* is a philosophy of actuality (*Wirklichkeit*), and as such seeks to present only those objects possessing “genuine” or “authentic” being—those generated when mere existence is subject to a process of conceptual reconstruction. Conversely, existence claims that cannot survive this process are revealed to possess a false, spurious, and indeed *irreal* existence, one that precludes their full inclusion in a philosophical account of reality (save insofar as deficient existence itself possesses a role in a systematic account of reality).⁵⁹ Nor are these two aspects—specifying what is genuinely real and exposing what is defective—unrelated. Instead, they are two sides of a common coin. The construction of a normative *Realphilosophie* simultaneously verifies of what is actual and exposes what is lacking in existing conditions. Like Marx after him, Hegel advances a science of reality that combines

presentation (*Darstellung*) and critique (*Kritik*). In Hegel's account of "scientific presentation,"⁶⁰ however, "judgment and comprehension"⁶¹ are one and the same. Like the concept of comprehension of which it is an instance, presentation is a form of theoretical analysis that, far from evincing a passive approach to reality, is both a productive and a normative operation, one devoted both to critique and evaluation.

3 Immanent Critique and the Concept of Spirit

Hegel's reconstructive notion of normativity may be understood as a species of internal or immanent criticism, an issue addressed in Chapter 2. Indeed, Hegel may well have given this method its initial formulation.⁶² Fashioning a philosophy of reality constructed in an assessment of how historically received assumptions and materials may or may not correspond to their essential nature, Hegel advances a notion of normative analysis that evaluates existing conditions not on external standards but on their internal claims and potentials. Comprehension consists in scrutinizing things with regard to their *own* concept.

Yet if Hegel does espouse the method of immanent criticism, he does so in a highly nuanced way, one eschewing the dualities associated with more conventional accounts. For one thing, his conception of immanent critique rejects any rigid distinction between immanent and transcendent considerations, a matter accorded special consideration in Chapter 3 of this book. If for no other reason, this is because he acknowledges that immanent assessment itself depends on external norms of exposition and evaluation, those Hegel elaborates in his account of logic. Whether some entity properly corresponds to its own concept cannot be properly clarified without general considerations of principles of truth, adequacy, equivalence, identity, self-relation, selfhood, self-dependence, and even freedom itself. Something can be evaluated as its own concept only via appeal to the concept itself, the principle of rationality informing the method of *Begreifen*.

This book considers various features of the "transcendent" dimension of Hegel's notion of immanent criticism (and the immanent dimension of his notion of transcendent evaluation). Here it should be noted, however, that Hegel's conception of immanent critique is also distinguished through its effort to avoid a method of investigation conducted by a theorist on an externally given material. At issue is not the activity of a philosophically informed observer assessing the degree to which an entity does or does not conform to its concept. Against any such "undialectical" distinction between thought and object, Hegel claims—somewhat obscurely, to be sure—that genuine criticism—indeed, genuine immanent critique—is the process whereby the object of investigation can be seen to subject itself to critique. It is directed to the "rationality of the object" and follows "the immanent development of the thing (*Sache*) itself."⁶³ Normative reconstruction takes the form of a process in which reality participates in the "labor

of its own transformation,”⁶⁴ in which the real can be said to “reconstruct itself” (*sich in sich selbst rekonstruiert*).⁶⁵ The point may be appreciated by briefly recalling elements of the concept of *Geist* or *spirit*, the fundamental principle of Hegel’s logic, metaphysics, and ontology.

In its general formulation, *Geist* connotes the conjunction of substance and subjectivity. It articulates a notion of reality understood *a limine* in terms of self-referentiality and its capacity for self-reflection. As such, *Geist* is a dynamic principle, one characterized by a process whereby features of a given subject matter obtain greater levels of self-consciousness. Yet such self-reflexivity does not denote the activity of a subject obtaining greater insight into what it *already* is. In its most complete articulation, the process of self-reflexivity constitutes reality itself, understood as the “complete interpenetration”⁶⁶ of substance and subjectivity. The nature of spirit is that which establishes its own reality; it is just that which actualizes itself. As a principle of reflexive self-actualization, however, spirit is not just an ontological principle; it is also an epistemological principle, one dedicated to articulating the conception of truth noted earlier. In a philosophy of actuality expressive of the concept of spirit, exposition of the real is also a process of the latter’s self-verifying self-cognition. It is the nature of *Geist* that the presentation of reality is simultaneously its certification and validation—indeed, its self-certification and self-validation.

This brief summary of the concept of spirit helps clarify Hegel’s account of normative analysis. As noted, such analysis consists in a process of immanent investigation where entities are judged in terms of how they do and do not correspond to their own concept. From the perspective of a philosophy of spirit, such adequation takes the form of the conjunction of substance and subjectivity. This means first that an entity is assessed with regard to the degree that it gives expression to the principle of spirit and, in particular, the degree that it is identical with itself. To the extent that this identity is lacking, an entity is not fully real, genuine, or true. As is evident from the foregoing, however, this cannot be understood as an external operation, one performed by an outside observer. Consonant with the full mediation or complete interpenetration of substance and subjectivity, the correlation must be accomplished by the subject matter itself; critical analysis must be construed as much as a first as a third person form of analysis. Thus, not only must any equivalence of existence and concept be forged by the subject matter itself, the validity of the process is itself established in the conscious recognition of the achieved conjunction. Indeed, for Hegel, self-conscious recognition of the unity of substance and subjectivity is authenticated reality itself.

The point is important not least in that it bears further on the normative dimension of the concept of *Begreifen*. The task of comprehension is to specify the conjunction of reason and reality. As already noted, this is not the descriptive, positivistic undertaking often assumed, but rather a critical effort meant to assess the real from the perspective of its concept.

From the perspective of a logic and metaphysics of spirit, however, this conjunction, far from endorsing given reality, represents a process in which reality subjects itself to critique and transformation. In lecture versions of the *Philosophy of Right*, Hegel speaks of how “the real *becomes* rational.”⁶⁷ This characterization is sometimes deemed inconsistent with the standard reading of philosophical comprehension and the claim that the real *is* rational. From the perspective of an account of spirit, however, this formulation captures its proper meaning. Situated in the context of Hegel’s thought, comprehension is itself a process by which reality can be said to undergo a process of self-cognition culminating in a validation and verification of its true nature. At issue is the “comprehending cognition” (*begreifendes Wissen*)⁶⁸ that Hegel describes in the *Phenomenology of Spirit*, characterized just by the process of internal self-reflection in which the real “becomes” what it *truly* is.⁶⁹ This book gives special prominence to this point in the concluding chapter on Hegel’s philosophy of history, which attends to the normative self-reconstruction of historical reality.

4 The Dialectic of Prospective and Retrospective Analysis

To say that practical philosophy, for Hegel, takes the form of a critical assessment and rearticulation of existing conditions and assumptions might still seem questionable in light of conflicting claims he seems to make elsewhere. None are perhaps more clear than those advanced in the Preface to the *Philosophy of Right*, where he famously asserts that any effort to instruct the world as it ought is contravened by philosophy’s belated appearance on the scene, that is, only “when actuality has gone through its formative process and attained its completed state.” Under such conditions philosophy, painting its grey and grey, cannot “rejuvenate” but only “recognize” the “shape of a life that has grown old.” Philosophy is like “the owl of Minerva [which] begins its flight only with the onset of dusk.”⁷⁰

Nothing in this book disputes that such assertions represent Hegel’s genuine views. It is my contention, however, that these words do not preclude ascribing to Hegel an evaluative or critical stance toward existing reality. To assume that they do is to impute to his thought the dualities between theory and practice, description and prescription, retrospective and prospective analysis that it purports to surmount. Later I address Hegel’s contention that philosophy can have a pedagogical function even if direct worldly instruction is barred. Here I note that whatever Hegel might say about the practical dimension of philosophizing itself, a decidedly normative dimension still inheres in the content of his practical philosophy. It may be true that philosophy itself cannot “rejuvenate” an existing historical state of affairs, yet such strictures do not pertain to cultural and social life generally. On the contrary, a historically existing culture is characterized precisely by its capacity for critical self-renewal and self-rejuvenation.⁷¹ Indeed, a culture subsists just in the ongoing process by

which it subjects itself to ongoing self-interpretation, self-reflection, and self-definition. This point is addressed in this book with regard to Hegel's notion of constitutionalism, especially in relation to Habermas's conception of law. Articulated in the notion of a *Volksgeist* or the *Geist eines Volkes*, a culture properly exists in and through processes that conjoin and re-conjoin substance and subjectivity—those that reshape received conditions and assumptions in ways that conform to its considered self-understandings, just as those self-understandings are rearticulated in response to changes in conditions and assumptions.

In allowing that cultures engage in processes of self-production and self-reproduction, Hegel does reject the notion that a social order can ever shape or constitute itself *ab ovo*. In line with the historicist critique of the natural right tradition, he claims that a culture is embedded in existing social and historical conditions. Yet far from undermining the possibility of critical self-renewal, this recognition only clarifies it. For Hegel, self-assessment is activated precisely by the need for a culture to rearticulate its identity in the face of changes in the social and historical conditions through which it exists. It may be that be cultural self-reflection, like philosophical reflection, is always retrospective. In the case of the former, however, retrospective analysis is also reconstructive.

Hegel's historically situated notion of cultural self-reflection is directed, however, not just to self-renewal but to self-transcendence as well. What most defines and differentiates a culture, for Hegel, is its consciousness of itself. Yet a culture can never fully make itself—its self-consciousness—an object of conscious reflection, as this very objectification always presupposes the self-consciousness in question. If one culture is to be made a proper object of comprehension, recourse must be had to a new and subsequent form of cultural self-understanding and so a new cultural formation, one that can more fully objectify not only the products and practices of the original culture but the latter's corresponding self-understanding. In this sense, the very self-reflexivity of one culture triggers the emergence of a new and different culture, and so on *ad infinitum*. "[T]he completion of an act of comprehension is at the same time its alienation and transition. . . . [T]he spirit which comprehends this comprehension anew and which . . . returns to itself from its alienation, is the spirit at a stage higher than that at which it stood in its earlier comprehension."⁷²

Nothing here implies that the content of subsequent cultural formation can be prospectively known or willed by the culture it has surpassed. Indeed, the emergence of a new level of reflexivity attests to the absence of such capacity on the part of the earlier culture. What emerges in the process of one culture's own self-reflection is a domain to which it itself lacks access. The new "fruit does not . . . fall back into the womb from which it emerged."⁷³ Yet, if in this sense as well, a culture is bound to its age, it is not fully so. Not only can one culture subject itself to internal criticism; it does so in a way that occasions its own supersession. One culture realizes

itself in “effectuating a transition to . . . a new phase and a new spirit.”⁷⁴ Consonant with the conception of “immanent transcendence”⁷⁵ informing his account of dialectical rationality, indigenous self-reflection is also a process of self-overcoming. A culture fulfills itself, for Hegel, only in its transfiguration.

5 The Philosophy of the Subject and the Logic of Intersubjectivity

The concept of spirit is central to Hegel's mature account of practical philosophy. In the eyes of some commentators, however, it is that concept itself that militates against a meaningful renewal of Hegel's practical philosophy. Expressive of a notion of substantive subjectivity, the concept of *Geist* appears to entail the notion of a monological subject autarchically reflecting on its own reality. In this way, *Geist* appears to preclude attention to the intersubjective relations required of a comprehensive account of practical philosophy and the robust notion of ethical life on which it depends.⁷⁶

In this book, I reject such characterizations. I do so, however, without disputing the centrality of the principle of subjectivity to Hegel's account of either *Geist* or his practical philosophy. I claim instead that attention to a “philosophy of the subject” supplies the basis in Hegel for a rich understanding of intersubjectivity, one central to his treatment of persons and peoples alike.⁷⁷ Of central importance is the special relationship Hegel asserts between a theory of self-consciousness and selfhood generally on the one hand and an account of mutual recognition on the other, a relationship that also challenges any rigid distinction between epistemology and ethics. Against Cartesian notions of privacy, Hegel holds that an individual is conscious of himself or herself only via awareness and consciousness of another. Consciousness of self thus entails consciousness of one's dependence on another, something that in turn requires recognition not only of the other as a conscious subject but also the other's perception of oneself. Proper appreciation of one's dependence on the other thus generates, as a condition of individual self-realization, an enlarged mode of self-awareness, one that incorporates into one's own self-perception reference to and recognition of the selfhood of the other. For Hegel, a proper account of self-consciousness takes the form a *universal self-consciousness*,⁷⁸ one predicated on the understanding that an individual “attains his self-awareness only in regarding the other as other.”⁷⁹

In addition, the process of reciprocal adaptation and adjustment through which individuals subjectively cultivate a proper sense of selfhood itself contributes to realizing an emphatically intersubjective account of universal self-consciousness, one characterized not only by a common identity but a shared consciousness of such identity. At issue is the “‘I’ that is ‘We’ and the ‘We’ that is ‘I’” that Hegel famously details in the *Phenomenology of Spirit*.⁸⁰ The concept of subjectivity thus entails not only an intersubjective

account of individual self-identity, but a social order itself shaped through relations of mutuality and reciprocity. On both counts, self-consciousness is “the substance of ethical life”⁸¹ and “the principle of right, of morality, and all of ethics.”⁸²

The importance of a theory of self-consciousness for Hegel’s account of ethical life can be clarified by briefly comparing the account presented here with two recent studies of Hegel, both of which highlight the centrality of intersubjectivity for his account of practical philosophy. One is Axel Honneth’s work, *The Pathologies of Individual Freedom: Hegel’s Social Theory*, which is fashioned as a “productive reappropriation” and “reactualization” of the *Philosophy of Right*. In this work, Honneth presents Hegel’s theory of ethical life as a defense of the idea of “communicative freedom,” wherein individuals fully realize themselves only in functioning relations of intersubjective recognition. In modern societies, communicative freedom finds expression in the modes of love, law, and solidarity, those informing, respectively, the three subsections in Hegel’s account of ethical life: family, civil society, and state.

Honneth argues that, for Hegel, proper realization of communicative freedom has been impeded in modern societies through a one-sided fixation on individualist notions of legal and moral autonomy, those that abstractly detach individuals from the practices of intersubjective recognition through which alone self-realization is fully possible. Indeed, it is just this “suffering from indeterminacy” that encapsulates what Honneth terms “the pathologies of individual freedom.” Honneth’s contention is that Hegel’s aim—“the truly original nucleus” of the *Philosophy of Right*—consists in an effort to vindicate for modern subjects the idea of communicative freedom in the face of the pathologies linked to individualist notions of liberty, those examined by Hegel in his account of abstract right and morality. Hegel pursues this aim through a therapeutic effort that seeks to effectuate a changed perspective in modern subjects, one involving appreciation of the one-sided nature of notions of freedom based on models of legal and moral autonomy *and* acknowledgment of their dependence on forms of intersubjective recognition germinally already present in modern life.

This book shares much with Honneth’s project. Included here is the emphasis on the role of recognition in a theory of practical philosophy, acknowledgment of the importance of communicative freedom for ethicality, recognition of the role Hegel assigns to philosophy in challenging one-sided attitudes and assumptions, and not least the general determination to specify the ongoing value and contemporary significance of Hegel’s social and political thought. Several differences can be noted, however; all pertain, in one way or another, to the place of subjectivity and spirit in Hegel’s practical philosophy.

First, one can question Honneth’s seemingly exclusionary differentiation of his three modes of recognition, something inconsistent with the developmental account Hegel presents, consonant with a process of substance

becoming subject, of the relation of family, civil society, and state in the section on ethicality.

Second, appeal to the notion of spirit also challenges an account of ethicality “rooted in a prior existing form of intersubjectivity,”⁸³ one understood as a “basic good.”⁸⁴ Against such apparent ethical naturalism (one that continues, if more mutedly, the neo-Aristotelianism evident in Honneth’s earlier *Struggle for Recognition*),⁸⁵ Hegel maintains that genuine ethicality attains reality only as a product of consciousness and will, wherein individuals identify themselves in and with the conditions of their existence.

Third, it unclear where Hegel’s concept of ethical sentiment (*sittliche Gesinnung*)—the public disposition that actualizes and sustains community—fits in Honneth’s recognitive scheme. Honneth does say that individuals may realize themselves through the recognitive esteem resulting from civic engagement,⁸⁶ yet honor of this sort is distinct from *sittliche Gesinnung* itself, the universal self-consciousness articulated in the cognitive and practical awareness of the interconnection one’s own aims with those of others and community generally.

Fourth, it is also unclear how Honneth’s concept of ethicality, centered on the principle of individual self-realization, can account for ethical community itself, one that—in line with the concept of spirit—is construed in terms of a conscious commitment to the ends of community by members of that community.⁸⁷

A final consideration concerns the presentation and validation of the notion of ethicality. For Honneth, ethicality is introduced by way of recovering an intersubjective mode of interaction whose centrality has been obscured and suppressed by modern culture’s fixation on individualistic accounts of legal and moral autonomy. In this book, however, I argue that valorization of ethical life results not from supplanting one mode of sociality by another but—consonant with the notion of immanent self-development entailed by the concept of *Geist*—in the internal critique and transformation of the notion of subjective autonomy itself.

In his effort to “reactualize” Hegel, Honneth asserts both the undesirability and impossibility of rehabilitating Hegel’s “ontological conception of spirit.”⁸⁸ This book does not deny that many elements of Hegel’s logic and metaphysics are not easily amenable to contemporary reformulation. On the other hand, I do contend that the principle of internal self-reflexivity that infuses Hegel’s concept of spirit has consequences for normative theory and social ontology that attest to the continuing significance of his thought, including that aspect pertaining to an intersubjectively conceived notion of ethicality.

Another recent work emphasizing the centrality of the concept of intersubjectivity for Hegel’s practical philosophy is Robert Pippin’s work, *Hegel’s Practical Philosophy: Rational Agency as Ethical Life*.⁸⁹ However, for Pippin this centrality is established not by adverting to forms of intersubjectivity incipiently present in human or at least modern human interaction.

Instead, Pippin proceeds by explicating the conditions for individual human agency, a topic whose consideration Hegel initiates in his treatment of subjective morality. Drawing on work by Charles Taylor,⁹⁰ Pippin formulates his position via an “expressivist” reading of Hegel’s theory of human action. Although all action proper is intentional action—this affirmation of the “right of subjectivity” is, for Hegel, a central accomplishment of the modern age, intentionality is not to be understood by reference to inner mental states; nor is action itself the phenomenon of inner states exerting a causal effect on an external entity. Against such recourse to the “inner citadel,” action, for Hegel, denotes a process of external embodiment, a phenomenon through which agents discover, clarify, and shape their intentions and themselves through engagement in and with the world. For Pippin, this embodied account of action entails a “social theory of agency.”⁹¹ On this view, expressive embodiment is most fully articulated with reference to public norms and the intersubjectively shared forms of recognition through which individual action and subjective agency acquire and maintain meaning and intelligibility. Individual agency “is, can be nothing other than, a social status, and a social status exists by being taken to exist by members of some community.”⁹² It is on this basis that Pippin presents his view of “rational agency as ethical life,” to cite his book’s subtitle.

This book shares many commonalities with Pippin’s book. Two differences may be noted, however. First, I question the proposition that, for Hegel, agency is to be understood *expressively*, an issue that is addressed generally in Chapter 6. Although it is true that agency, for Hegel, is linked to processes of an external embodiment, those processes are themselves part and parcel of more fundamental activities of *internalization* and *interiorization*. It is not coincidental that Hegel’s treatment of action in the *Philosophy of Right* culminates in an account of conscience, a concept whose “genuine” formulation undergirds his notion of ethical disposition. Not only is agency thus importantly tied to subjectivity: “what someone does must be considered not in its immediacy, but only as mediated through his inwardness and as a manifestation of it.”⁹³ Reflective self-identity is fully established only through modes of self-apprehension, which are simply mediated through processes of external objectification and self-differentiation.

Second, while fully accepting Pippin’s emphasis on the connection in Hegel’s concept of agency between selfhood generally and the conditions for intersubjective recognition, I dispute the view that this is a one-sided relationship, reflecting an ethical and ontological reliance of the former on the latter. Against what Pippin calls the “dependency claim” or the “‘priority of sociality’ thesis,”⁹⁴ this book affirms a more interdependent or “dialectical” account, one in which subjectivity and subjective self-identity are as much conditions of intersubjective recognition as consequences of it. If agency depends on publicly recognized norms and practices, those norms and practices themselves depend for their validity and reality on forms of subjective knowledge and will. Presenting action as a form of

self-determination “based on thought,”⁹⁵ Hegel asserts that an agent must regard the external determinations on which it depends as “its inward institutions, its own, and willed by it.”⁹⁶ For Hegel, the mediated must itself be mediating; it must be construed as “the posited dialectic of itself.”⁹⁷ Hegel’s view of the relationship of subjectivity and intersubjectivity expresses that “circle of circles”⁹⁸ basic to a dialectical account of rationality.

These considerations are important for many reasons. They bear on Hegel’s conception of self-identity, which depends on the self-consciousness of such identity. They bear on his notion of autonomy and the idea that individuals are fully free only to the degree that they know and perceive themselves as free. But they also bear on the republican dimension in Hegel’s account of ethicality, something disputed in Pippin’s account of “institutional rationality.” Ethicality, for Hegel, is not just framework in which individual agency acquires meaning and reality; it is also a domain in which individuals knowingly promote the conditions of community itself. Indeed, it is through such “reflective agency” that a community itself acquires full reality.⁹⁹ Hegel’s notion of republicanism is a complex one, one dependent on forms of agency shaped by the norms and institutions of social life; yet as Hegel writes of patriotism, public sentiment is also “the source, through and out of which the state has its activation.”¹⁰⁰ This conviction, basic to Hegel’s understanding of the place of subjectivity in an account of ethical life, is variously explored in this book.¹⁰¹

6 Subjectivity, Modernity, and Republicanism

The issue of subjectivity bears on Hegel’s general account of modernity, a prominent theme in this book. As noted earlier, Hegel’s practical philosophy, like his philosophy generally, represents a response to the dichotomies and bifurcations he associates with modern culture and society. Such bifurcations had rendered illicit any direct rehabilitation of the holist tradition of practical philosophy deriving from Aristotle. Any contemporary rehabilitation was further impaired by the fact that, in Hegel’s estimation, the source of bifurcations was located in the basic principle of modern life itself, the principle of subjectivity. Subjectivity, linked with polarities such as thought and being, self and other, individual and community, was seen to infuse all aspects of modern life: social, political, economic, as well as cultural and philosophical. Hegel’s aim was to surmount these oppositions, yet in a way that did not simply jettison the principle of subjectivity itself. In keeping with his dialectical proclivities, he sought to show how the *aporia* entailed by modern subjectivity could be solved by subjectivity itself.¹⁰² The hand that inflicts the wound is also the one that heals it. Not only is such an approach consonant with the project of immanent criticism, it attests to the degree that the principle of subjectivity can be of special value in the effort to reaffirm holism, philosophical or societal, in the face of bifurcation.

In invoking the principle of subjectivity for this undertaking, Hegel appeals above all to Kant and his concept of self-determination. Yet he claims that Kant had developed only an incomplete articulation of that concept. Genuine self-determination cannot be construed, as it is in Kant's case, as a form of autonomy removed from all heteronomous considerations. If the concept of autonomy is properly to articulate self-determination, it must incorporate reference to the forms of external determination against which it defines itself and in terms of which it is otherwise conditioned. In particular, a genuine concept of self-determination must take the form of objective self-containment or *bei-sich-Selbst sein*, understood as the activity of the subject finding, positing, and maintaining itself in that which is other than itself.

For the project of rehabilitating the tradition of practical philosophy under conditions of modernity, the notion of freedom as selfhood in otherness—one reflective of a dialectical approach to practical philosophy—is useful for at least two reasons. First, it provides a framework wherein modern bifurcations, far from affirming a bifurcated and bifurcating understanding of human subjectivity, are now elements in a rich and variegated account of subjectivity itself. On this view, the oppositions informing the one-sided understanding of the autonomous subject found at least in Kant—freedom and necessity, reason and sensibility, self and other, individual and community—are now not only compatible with a full notion of subjectivity but components in its proper realization.¹⁰³ Second, because the subject realizes itself only through objectification in the various spheres comprising the domain of practical existence (right, morality, family, economy, law, and state), the process of subjective self-realization is also one that forges connections among those spheres themselves. In this way, the process by which the subject fashions its own identity is simultaneously one that forms and validates a holistic account of societal life. In a typical expression of dialectical analysis, Hegel maintains that affirmation of the principle of modern subjectivity is at the same time a modern rehabilitation of the tradition of practical philosophy, just as that rehabilitation itself facilitates proper realization of modern subjectivity.

The point is also evident in Hegel's analysis of modern society itself. As reflected above all in his account of civil society, modern society is understood first in the activity of self-seeking individuals pursuing their private interests. Yet modern society is also characterized by a principle of societal interdependency, that reflected in the systematic interconnection of individual and community. Drawing on the work of modern political economists, Hegel highlights the degree to which pursuit of private interest also contributes to societal well-being, just as the welfare of community itself is sustained only through such individual pursuits. It is with regard to this "system of all-round interdependence"¹⁰⁴ that Hegel locates civil society in his wider account of ethical life.

Hegel also claims, however, that the ethicality of modern societies is an unstable and deficient sort, one characterized by many of the pathologies that social theorists from Rousseau forward have associated with modern social life. Given that the mediation of individual and community here is only an incidental one (occurring only “behind the back” of self-seeking individuals), modern societies are shaped conspicuously by *inter alia* privatist notions of liberty, instrumental accounts of sociality, and increasingly complex legal and administrative structures that not only threaten individual freedom but exacerbate many of the problems they are expected to address. In addition, modern societies, characterized by an increasingly complex division of labor, give rise to forms of social entanglement that *inter alia* uproot individuals from traditional sources of meaning, foster increasingly fragmented forms of self-identity, compel pursuit of exogenously imposed need and desires, reduce individuals more and more to the status of commodities, and subject them to economic forces over which they have increasingly limited control. It is especially with regard to the latter that modern society gives rise to a form of poverty defined by a systemically induced underclass, one whose members are characterized not only by material deprivation but a psychological disposition predicated *a limine* on rejecting modern social life itself. If modern civil society represents a form of ethical life, it is a pseudo-ethicality, characterized in reality by the “loss” of ethical life itself.¹⁰⁵

Against these tendencies Hegel seeks to reaffirm a notion of ethical life based on a more robust account of the relationship of individual and community. He does so, however, not by appealing, as Habermas has charged, to the idea of an ethical totality “borrowed from the idealized past.”¹⁰⁶ Instead, a more adequate account of ethicality is achieved through further developing modern subjectivity and indeed modern social life itself. In particular, Hegel seeks to cultivate in modern individuals a proper account of modern subjectivity, one understood as selfhood in otherness. From this perspective, the interrelationships of individual and community that, in terms of the logic of civil society, are sustained only “behind the back” of individual agents may now be construed in terms of what is otherwise lacking: the conscious product and goal of individual agency itself. Moreover, this more adequate notion of ethicality is achieved via modern bifurcation itself, which in juxtaposing individual to community facilitates the emergence of a form of sociality predicated on individuals knowingly and deliberately willing community itself.

The fecundity of the principle of subjectivity for a modern account of ethicality is further reflected in its capacity to underwrite an appropriate account not only of ethical consciousness but ethical community itself. Under modern conditions, a proper notion of ethicality reposes not just in a reflexively mediated understanding of the relationship of individual and community but in the conscious affirmation of that relationship. Genuine ethicality is just the community as it subsists in the conscious commitment

on the part of members to community, whether it is in principles of cooperation, attention to shared ends, or support for the idea of communality itself. A modern account of ethical life takes the form of a “self-related organism,”¹⁰⁷ one in which the living bond between individual and community exists through the consciousness and self-consciousness of the bond itself.¹⁰⁸ In this respect, Hegel’s notion of ethicality rests not only on a proper account of subjective agency but on a metaphysics of subjectivity defined in terms of a concept of spirit understood as a substantive reality that becomes subject to itself. Hegel’s is a decidedly modern conception of ethicality, one which, far from recurring to an idealized past, locates the idea of “substantial unity . . . in the principle of subjectivity itself.”¹⁰⁹

These considerations attest to the degree to which Hegel may be deemed the proponent of a modern republicanism, a concept variously explored in this book. “Modern republicanism” can be understood as an effort to reaffirm features of the classical republican tradition under the changed assumptions of modern political and social life. It is an effort to reaffirm attention to the common good and concomitant notions of civic virtue in a way consistent with the realities of individual rights and liberty, social and political pluralism, and a notion of political commonality that eschews endorsement of any specific notion of the good. In this regard, republicanism from a Hegelian perspective is to be understood in a characteristically dialectical manner. On the one hand, it is not the civic humanism that assumes that human beings are *per se* political creatures or that civic engagement is valuable for its own sake.¹¹⁰ Nor, on the other hand, is it the conception common in contemporary political theory, for which republicanism represents a version of modern liberty, one restricted to safeguarding individuals from domination and the exercise of arbitrary power.¹¹¹ Instead, Hegel’s republicanism represents a decided mediation of these two approaches, something that can be detailed in multiple ways.

Thus while Hegel champions an emphatic notion of public or civic virtue, he does so in a way that attends neither to a public definition of human nature nor to acts of extraordinary self-sacrifice, but to the conditions and possibilities of individual right and liberties. Similarly, if, for Hegel, civic virtue takes the form of a defensive activity that counters forces inimical equally to the exercise of private and public autonomy,¹¹² it also has a constructive function, one committed to constituting individual and social identity itself. In a different vein, Hegelian republicanism gives expression to a modern account of the common good, one consisting not in a communal commitment to pregiven ends but—consonant with a notion of ethicality understood as “indwelling self-consciousness”¹¹³—in ongoing reflection on and deliberation about the conditions of commonality itself.

Civic republicanism, for Hegel, is also intertwined with an account of social and political pluralism, a point addressed in this book through comparison of his position with that of Rawls. Hegel advances a “formal conception of ethical life”¹¹⁴ that itself is an acknowledgment of the diversity

of ends in modern society. He claims that the idea of community entails a highly differentiated social order, one constituted in an appreciation by variously situated individuals and groups of the interconnection of their own interests with those of others and community generally. And he asserts that those individuals and groups can understand themselves *as* members of a community, as part of a whole in which they *share* common interests, only if they are also aware of and committed to their differences. Here, too, Hegel's republicanism denotes a distinctive determination to forge a highly mediated connection between public and private, individual, and community, one and the many, and universal and particular.

7 Religion, Politics, and Secularity

The claim that Hegel might be a proponent of republicanism is, to be sure, contestable. His assertions about the self-sufficient substantiality of the state and the status of citizens as mere attributes seem to question accounts accentuating public engagement on the part of a citizenry. Yet while elements of Hegel's political thought do lend support to more authoritarian readings, they should not be misconstrued. Consider, for instance, his famous claims about the divinity of the state, the topic of Chapter 9 of this book. Although such claims are regularly invoked as evidence of Hegel's supposed apotheosis of state power,¹¹⁵ they attest in fact to the republican nature of his political thought. For Hegel, such divinity denotes, among other things, self-causation. In the political realm—he speaks of an “earthly divinity”—such self-causation is expressed in the spirit of a people. A people is truly actual only when it has itself as an object, when it constitutes itself. Such self-causation, to be sure, does not entail a process of absolute self-creation. Political self-constitution always occurs against the backdrop of existing social and historical conditions. At issue is the process through which a people “makes itself *in history* through itself.”¹¹⁶ Yet this acknowledgment of historicity only attests further to the republican dimension of the account of an earthly divinity. Given the ever-changing nature of the conditions according to which a people must define and shape itself, societal self-renewal and “regeneration”¹¹⁷ represents, not an isolated or originary act of self-formation, but—as detailed in this book as regards his account of constitutionalism—a permanent and ongoing feature of political life generally.

These considerations also speak to Hegel's unique and nuanced account of the general relationship of religion and politics. On the one hand, he espouses a view of the relationship of church and state that exhibits important affinities with liberal accounts.¹¹⁸ He rejects the idea of a state religion; he condemns religious interference in the affairs of state and political life generally; he acknowledges the plurality of religious confessions; he claims that the state must remain agnostic as regards any particular religious creed; he assigns the state the task of protecting the right of conscience

and the free expression of belief; he denies ecclesiastical organizations any special exemption from state law; and he asserts that religious argumentation can play a role in political life only to the degree that it observes public norms of rationality.

But if Hegel distinguishes religion and politics, he also rejects their abstract opposition. Not only does he claim that the two spheres will and do inevitably interfere with one another, and that it is “silly” to assume otherwise;¹¹⁹ he claims as well that, whatever the differences, both express the principle of freedom.¹²⁰ In addition, he asserts that any complete account of societal life must acknowledge the degree to which religion and politics not only share common assumptions but contribute to a shared reality. Claiming that a people or a nation is properly constituted and sustained *a limine* in the interplay of institutional structures and forms of cultural sentiment, he asserts that religion and politics are themselves two constitutive elements, “two contrapuntal aspects,”¹²¹ of that entity Hegel terms the “ethical universe.”¹²² Furthermore, he maintains that the two spheres directly implicate one another and indeed are codependent. Political community, dependent on processes of collective self-definition, requires the presence of dispositions rooted in religious modes of human self-understanding. Conversely, religion cannot fulfill its vocation without institutional structures that safeguard the right of conscience and the exercise of belief, accommodate attention to what is collectively binding, and allow religion freely to probe the domain of inward spirituality. Religion and politics are “reciprocal guarantees of strength,”¹²³ and neither is conceptually intelligible without the other.

Hegel’s complex view of the interdependency of religion and politics illustrates his “dialectical” account of the relationship of the secular and the spiritual. On the one hand, he claims that the core principles of modern social and political reality derive from religious assumptions and conceptions. Thus, modern notions of right, liberty, moral responsibility, social reciprocity and political legitimacy all have their origins in Protestant notions of the individual believer and his or her relationship to the divine. Conversely, religion itself—at least in the form of modern Christianity—depends for its realization on the institutions and modes of social being specific to modern “secular” existence. Protestant Christianity is rooted in a notion of freedom understood as selfhood in otherness. So understood, however, religion cannot be expressed only subjectively or inwardly, but requires the formation of institutions objectively committed to principle of freedom.¹²⁴ While asserting the autonomous identity of the spiritual and the secular, Hegel is also committed to an account of their wide-ranging interdependence. Indeed, it is a measure of this interdependence that the modern institutional arrangements needed for a full mediation of the infinite and finite mandated by Christianity depend for their support and ongoing stability on an existent public political culture—“the self-consciousness of ethicality”¹²⁵—which itself articulates the idea of religion. An aim of this

book is to clarify not only this uniquely dialectical view of the relationship of the secular and spiritual under modern conditions but to do so in a way that attests to his nuanced account of modernity.

8 Modernism as a Philosophical Problem

The account of Hegel's view of modernity presented here may be elucidated by briefly comparing it to that advanced by Robert Pippin in his work *Modernism as a Philosophical Problem*. Pippin's work is especially relevant, for his aim is precisely to explore the modern project from the perspective of a "Hegelian orientation."¹²⁶ Several things are distinctive about Pippin's approach. First, Pippin locates Hegel squarely in the tradition of philosophical modernism, with its commitment to the proposition that reason must account for itself in ways that eschew reliance on tradition, dogma, and other outside authority. Second, Pippin identifies Hegel particularly with Kant, whose notions of self-determination and reflexive self-grounding best articulate the aims of the modernist project. Third, Pippin sees in Hegel a reformulation and radicalization of the Kantian project of reflexive self-determination. Whereas Kant sought to specify the conditions for subjectivity generally and while he did so through recourse to putatively pre-supposed categories, Hegel advances a "radically historicized"¹²⁷ account, one in which self-determination denotes the process of a particular cultural community establishing the norms and practices authoritative for itself.

In broad outline, this book follows Pippin's analysis. Hegel does subscribe to a modernist account of rationality. He does so by affirming the project of reflexive self-determination initiated by Kant. And he does reformulate the Kantian project, construing reflexive self-determination as a developmental process of self-formation whereby the real specifies its own principles of rationality.

On the other hand, there are two respects in which the present analysis differs from Pippin's. First, on Pippin's account, Hegel's historicization of self-determination represents as a type of deflationary undertaking, one that supplants a "transcendental" analysis with a "phenomenological" account of subjective self-determination. At issue on this view is not a conceptual analysis of the conditions of rationality generally but instead a "narrative" account of how a community has come to accept the norms, rules, or practices authoritative for it. It is in this respect that Pippin claims that Hegel supplants "logical" with "dialectical" analysis, that he appeals to the "prediscursive" contexts of human experience, and that he construes self-determination itself as "prior to, rather than equivalent to, rationality."¹²⁸ Here it is not possible to deal in any detail with Pippin's innovative analysis. It can simply be noted that his analysis does not appear to do justice to Hegel's reformulation of the Kantian project, which arguably is less an effort to supplant the latter's emphatic approach to rationality than to develop it more fully. If Hegel claims that rationality reflects a process of

self-development expressive of existent reality itself, this is simply further articulation of a discursive process of reflexive self-grounding, one in which what might be true for the knowing subject must also be so understood by the subject matter itself. Hegel does present the self-formative process as a historical one, yet history here is not the process of empirical formation appropriate to a narrative account, but a *comprehended history* (*begriffene Geschichte*)¹²⁹ entailed by the autonomous self-reflexivity of conceptual analysis itself. Hegel does claim that immanent self-reflexivity connotes an open-ended process, and in this sense he acknowledges “finitude” in the way that Kant does not. Yet, for Hegel, such open-endedness is not a denial of an emphatic notion of self-reflexive rationality but an essential component. The concept of “immanent transcendence” central to Hegel’s view of dialectic is also central to his logic of rationality.

Second, to say that reflexive self-determination is tied to the historical self-development of a community is not to say that, for Hegel, the criteria as to what counts as such self-development are simply whatever a community takes them to be, that the operative norms are whatever a community has “come to regard” as operative. Rather, Hegel adheres to a more emphatic notion of rationality, one that, in a more than a merely contingent manner, specifies what is to count as the rational form of a specific entity or phenomenon. Indeed, such norms are entailed by the principle of substantive self-reflexivity that occasions historicization of the principle of self-determination. It is with respect to this principle, encapsulated on the idea of spirit and expressed in a conception of freedom as selfhood in otherness, that Hegel specifies standards by which to determine what is to count properly as, say, selfhood, liberty, community, sociality, a polity, ethical life, and the ends of public life itself. Even the process of historical self-formation itself is, for Hegel, governed by norms specifying what is to count as its appropriate form, a point that Pippin himself seems to allow when appealing to “genuinely self-imposed”¹³⁰ criteria. Certainly Hegel rejects accounts of normativity that confront a subject matter with externally generated standards. Committed to apprehending its own time in thought, Hegel’s practical philosophy attends to norms implicit in existing conditions of social life. Within that framework, however, Hegel differentiates between the mere existence and the actuality of social phenomenon. Indeed, a practical philosophy expressive of the principle of modernity seeks to specify the nature of those conditions and arrangements as they properly articulate “the right of subjectivity.”

None of this is to suggest that there may not be problems with the version of Hegelian rationality sketched here. One can indeed question the coherence of a position that champions the principle of autonomous self-grounding even while appealing to norms and conceptions to define that principle. Whether this is indeed a legitimate concern cannot be addressed here. For his part, Hegel was well aware of the circularity of his position and sought to address it by incorporating such appreciation into an account

of rationality itself. Whatever one might say about Hegel's position, however, it is not obviously represented by an account asserting that what a people takes to count as rational is what should in fact count as rational.

9 Globality, Global Justice, and Interculturalism

Hegel's practical philosophy is distinctive for the way in which it challenges many of the dichotomies of modern thought and culture: for example, reason and reality, norms and history, individual and community, self and other, morality and ethicality, the right and the good, the past and the future, and the spiritual and the secular. In the concluding part of this book, I extend consideration of Hegel's account of modernity to current discussions of globalization and global justice. Here, too, Hegel advances a highly nuanced account of relevant issues, an account that eschews many of the dichotomies that still grip discussion.

On its face, the claim that Hegel contributes constructively to debates surrounding global justice might seem implausible. His rejection of global institutional structures, his prioritizing of nation-state sovereignty, his accentuation of communal embeddedness, and his focus in interstate bellicosity all challenge the proposition that he can serve as a meaningful participant in such debates. Here, too, however, Hegel's position must be properly understood, appropriated, and contextualized.

To begin with, Hegel's political philosophy does assign priority to nation-state sovereignty. It is not coincidental that, against Kant's cosmopolitan law, Hegel restricts his account of international relations, as does Rawls, to a law of peoples (*Völkerrecht*). At the same time, however, focus on nations and peoples, for him, does not preclude accounts of international relations that surpass standard statist notions and those associated with the tradition of Hobbesian realism. Rather, a more robust account of transnational justice flows from his general reliance on recognition theory, which is as applicable to his understanding of the relations of peoples as to the relations of persons.

This theme is developed in Chapter 10. On this view, the autonomy of a people—consonant with an intersubjective account of identity formation—is unintelligible without the recognition of other peoples, understood equally as one culture's recognition of other cultures and its corresponding recognition by the culture thus recognized. In this way, the notion of sovereign identity itself presupposes and entails commitment not only to relations of mutuality with others but to the principle of mutuality itself. Furthermore, inasmuch as processes of reciprocal interaction require that participants alter their own self-perceptions in acknowledging the perspectives of others, they contribute to the emergence of a "universal self-consciousness," understood not only as a notion of self that incorporates an awareness of the others but shared identity itself. On the model of Hegel's famous conjunction of I and We, the latter assumes the form of an international We,

one forged in a convergence of values facilitated in the processes of mutual adjustment and adaptation entailed by relations of reciprocal recognition. Such commonality of values and perspectives does not imply a world state or even structures of global governance. What Hegel's account does entail, however, is a collective consciousness of globality—a world spirit, as it were. In Hegel's view, a law of people depends for its meaning and reality on a collective commitment to the law of peoples itself.

These considerations permit clarification of Hegel's stance with regard to cosmopolitanism. While Hegel has no truck with cosmopolitan law, he does not repudiate appeal to cosmopolitan norms themselves. On the contrary, his law of peoples, no less than Kant's cosmopolitan law, has recourse to a general principle of right, one deemed "valid in and for itself."¹³¹ Where Hegel differs from Kant is not in a commitment to cosmopolitan norms, but in the conviction that such norms are not construable as moral postulates or a priori principles juxtaposed to the life-forms and self-conceptions of individual cultures. Instead, the principle of right informing the law of peoples is generated and validated in the interactions of peoples themselves. It is in the recognitive "dialectic" of individual *Volksgeistern* that shared norms of global sociation—encapsulated in the concept of *Weltgeist*—are forged, even if they themselves rudimentarily undergird modes of sociation. For Hegel, the world's court of judgment is world history itself,¹³² the "absolute" principle of right.¹³³ He may eschew Kant's notion of *Weltbürgerrecht*, but only because he discerns norms of transnational justice in *Völkerrecht* itself.

None of this disputes that Hegel accentuates the presence of strife, conflict, and bellicosity in international affairs. He is famous, even infamous, for acknowledging the role of warfare in interstate relations. Yet if war is an important component of political theory, it is not the central one. Instead, warfare and struggle generally, at least for "developed" cultures distinguished by some measure of collective identity, are viewed against the backdrop of what are more basic cooperative commitments. Not only does bellicosity entail, however rudimentarily, forms of recognition; the fact that conflicts are initiated in part to redress experiences of misrecognition ensures that they will represent limited or "transitory" phenomena, subordinate to mechanisms directed to fostering relations of mutuality. Indeed, invoking elements of just war theory, Hegel asserts that implicit in a war of nations is "the possibility of peace."¹³⁴ War itself remains a "determination of *Völkerrecht*," one that also mandates identification and censure of war crimes. The very challenge to right entailed by war is itself affirmation of right itself.¹³⁵

Several implications flow from a recognitively conceived approach to international law. The first concerns what can be called Hegel's situated cosmopolitanism. While Hegel does affirm universal principles of right and justice, these are understood, not abstractly, but only with reference to particular life contexts, and in particular those in which individuals can understand

and endorse those norms as their own. Hegel's point, though, is not just a general one about the need for contextual application. It is also that norms depend for their status as norms on such situated appropriation. As principles of freedom, they cannot be regarded as exogenous impositions but instead depend for their meaning and validity on their expressibility as local modes of self-definition. This is not to say that the discourse of rights simply devolves into a kaleidoscope of conceptions of what counts as norms. This is precluded by the very process of appropriation itself, which in articulating the autonomy of one culture, affirms, on Hegel's intersubjective account of identity formation, the self-conceptions of others. For Hegel, a culturally contextualized account of right is an intercultural one as well.

Hegel's value for a theory of global justice is further evident in the way a recognitive account of justice clarifies the obligations of individuals, groups, or peoples to redress forms of deprivation experienced by others worldwide, an issue addressed in Chapter 11. For Hegel, the autonomy and self-identity of one individual, be it a person or a people, depends on its recognition by another. Such recognition is meaningful, however, only if it is freely provided; the freedom of one depends on the recognized freedom of the other. For Hegel, freedom is a "positive" as well as "negative" concept.¹³⁶ It encompasses not just formal opportunities to pursue chosen interests but conditions for freedom's actual exercise, that is, the capacity to find oneself in fact in the conditions of one's existence. An individual can exercise freedom, however, only if he or she has access to resources needed to do so. To the extent, then, that an individual or culture depends for its own autonomy on the free recognition and thus the autonomy of others, it must also be prepared to assist with the resources enabling others to engage in the self-expression required of such autonomy. Such assistance cannot be unlimited, as this would undermine the autonomy of the originating community. Still, an application of recognition theory entails that some measure of global redistribution is not only allowed but required.

Hegel's recognitive approach to global justice also indicates the institutional arrangements appropriate for such an account. Given Hegel's attention to relations of reciprocity, he would not countenance centralized, "top down" approaches to any form of global economic redistribution. Instead, such solutions would necessarily engage local, first-person forms of self-definition and determination. Conversely, the forms of thoroughgoing global interdependency entailed by a recognitive account of global relations would also preclude decentralized, "bottom up" solutions. Instead, programs of global economic justice on a Hegelian view must be linked to robust and sustained processes of deliberation and mutual interrogation of all affected. In this regard, an account of global economic justice would mandate something like the multilayered approach to global institutional arrangements advocated by Thomas Pogge,¹³⁷ and one that, as with Hegel's conception of a domestic polity, affirms a highly mediated and differentiated understanding of the relationship of universal and particular.

The notion that Hegel might be interpreted as a constructive proponent of theory of globality and global justice can certainly be disputed. His philosophy of history, with its seemingly triumphalist affirmation of European political and cultural accomplishments, appears to question the degree to which he can seriously be said to accommodate and engage peoples and persons worldwide. Nor can it be denied that Hegel's philosophy of history contains Eurocentric and even Eurochauvinist elements. But it is also incorrect to say that his philosophy of history, or his thought generally, represents an uncritical championing of the West or a lack of openness to other cultures and traditions. To do so would be to lose sight, as I argue in the last chapter of this book, of the degree to which his philosophy of history is a part of his general *Realphilosophie* meant to reconstruct existing conditions from a normative perspective. As such, philosophical historiography, for Hegel, represents an effort to restate tendencies implicitly present in history by means of a notion of rationality predicated on a concept of freedom understood as selfhood in otherness. So conceived, philosophical history not only promotes a reconstructed notion of modern sociality, one that, in a dialectically mediated way, seeks to surmount oppositions between self and other or public and private. It also challenges restricted notions of European modernity, detailing both the latter's constitutive dependence on past and future and the degree to which its own identity mandates relations of recognition with other peoples and cultures. Nor is this merely a theoretical account of the expanded potentialities of European modernity; it has concrete practical implications as well.

Included in Hegel's account of philosophical history, which in all cases was disseminated in the context of university lectures, is an exhortation to his audience to participate in further developing rational tendencies implicit in modern life, including those that question one-sided views of modernity itself. Indeed, the realization of reason in the world—understood as progress in the consciousness of freedom—depends, for Hegel, on the public engagement of what in this case is a German and European citizenry, one which, in acknowledging relations of global interdependency, can also contribute to realizing *Weltgeist* itself. Granted, Hegel's chief concern, committed as he was to a view of philosophy understood as the conceptual self-apprehension of an age, was with the realities of European modern and even "Christian-Germanic" society. But predicated on a view of rationality expressed in the concept of "immanent transcendence," his thought also adumbrates the internally self-transformative possibilities of modern cultural life itself.

10 Philosophy As Practical Activity

Yet another distinctive feature of Hegel's practical philosophy is his view of the practical dimension of philosophy itself. Some attention has already been accorded to this element. Not only is philosophical comprehension

a decidedly normative undertaking; philosophy itself is occasioned by an effort to confront and productively surmount the bifurcations endemic to modern social life. But Hegel also contends that philosophy, which he sometimes calls effective knowledge (*wirkliches Wissen*), has socially transformative implications. Even if he may have early on abandoned, as he himself acknowledges, the more direct practical engagement he idealized in his youth in favor of the requirements of systematic philosophy, he retained throughout his career a commitment to specifying how philosophical reason, even in its systematic dimensions, might still permit “intervention in the life of men.”¹³⁸

Such commitment follows in part from the nature of the problems themselves, above all those triggered by social and cultural bifurcation. Given that, for Hegel, such problems issue first and foremost from philosophy itself (i.e. Cartesianism),¹³⁹ any solution must also come from philosophy. The philosophical challenge to modern philosophical reason is itself an undertaking of broader social and cultural significance. Moreover, given the grip exercised by Cartesianism on modern culture, the corrective work performed by a dialectical philosophy may be more effective than any more direct practical engagement. As Hegel wrote in an 1808 letter to Niethammer: “I am daily more convinced that theoretical work accomplishes more in the world than practical work. Once the realm of ideas is revolutionized, reality will not hold out.”¹⁴⁰

But Hegel also claimed that philosophical effort is practically engaged in more conventional ways as well. Philosophical comprehension is directed to reconciling reason and reality.¹⁴¹ As noted, however, such reconciliation is properly achieved not just for philosophical reflection but for reality itself. Proceeding from the notion of truth as spirit and in particular the unity of substance and subjectivity, conceptual reconciliation rests ideally on a conjunction forged not just by a theoretical observer but by subject matter itself, i.e., one achieved when members of a social order can effectuate and acknowledge the rationality of the conditions of their existence. For Hegel, philosophy is intimately intertwined with its worldly realization.

None of this is to say that “philosophy is its worldly realization;”¹⁴² nor is it to suggest that, for Hegel, “social achievement is the ultimate standard of truth.”¹⁴³ Even if such realization or achievement is demanded by philosophy, what counts as both is defined and certified only with reference to a presumed notion of philosophical reason. Hegel does distinguish the philosophy of Objective Spirit from the role it may have for the participants in the practices and institutions of modern life.¹⁴⁴ Yet if philosophy is not reducible to its practical application, it is not fully demarcated from it, either. Hegel’s point is rather that inherent in philosophy *qua* philosophy is a practical reference to reality, and indeed not in an incidental way, but “as an integral moment of its systematic organization.”¹⁴⁵

It is true that Hegel often seems to reject the view that philosophy has any practical role whatsoever. On occasion, he goes so far as to say that

philosophy is an isolated undertaking directed to a notion of truth not directly concerned with “practical affairs” and the course of the world’s developments.¹⁴⁶ Yet even if philosophy has no immediate bearing on existing social reality, it does have—consonant with Hegel’s philosophical commitment to the idea of mediation—an indirect role, one dedicated to affecting the thought and attitudes of those who are in a position to effectuate social policy. Such a role was on display in his journalistic activity¹⁴⁷ and his ceremonial addresses,¹⁴⁸ but it was perhaps most in evidence in his pedagogical practice. In presenting so much of his philosophical doctrine in the context of university lectures, Hegel sought to exert an influence on the thinking of his students, many of whom were expected to occupy positions of authority in society. In doing so he sought to inculcate in them an awareness of the spurious nature of so many of the dualisms characterizing modern thought and culture, and in this way contribute to their overcoming. Indeed, given his claim that both ethicality and genuine historical progress depend in part on individuals who in their ordinary life-practice display a willingness to surmount dualisms such as those of self and other and public and private, it is clear that, for Hegel, philosophy, as a source of moral education, can play role in the concrete reconciliation of reason and reality.

Many questions can be asked here of Hegel. Is it appropriate to assign to philosophy any role at all as a source of moral education and, if so, which and what type of philosophy? Is it desirable that such education be directed, as Hegel seems to imply in his later writings, just to those who occupy formal positions in public life?¹⁴⁹ However these questions are answered, though, it is the case that Hegel did posit at least a mediated connection between philosophical doctrine and social transformation. To suggest otherwise is to reaffirm yet another version of the dichotomizing thinking he sought to contest.

III THE CONTEMPORARY VALUE OF HEGEL’S PRACTICAL PHILOSOPHY AND HEGELIAN PHILOSOPHICAL HISTORIOGRAPHY

This book seeks to clarify the contemporary value of Hegel’s practical philosophy by directly and indirectly focusing on the themes detailed in the previous section. The interpretative approach employed is varied. In some cases, I scrutinize Hegel in terms of topics central to contemporary practical philosophy; in other cases, I place Hegel in a dialogue with other thinkers on topics of common concern; and in yet other cases, I offer new perspectives on topics long considered settled in Hegel research, often with the help of recently discovered manuscripts. My general aim is to demonstrate both how Hegel might enrich deliberations in contemporary practical philosophy and how attention to contemporary concerns may yield new perspectives on his own program.

Attention to the contemporary value of Hegel's thought is, however, a controversial matter. Indeed, such attention is arguably alien to the very nature of Hegelian thought. On this view, Hegel is a systematic philosopher whose work can properly be understood and appreciated only when its various components are placed in the context of his philosophy as a whole; to situate Hegel in the context of concerns motivating contemporary thinkers, many of which are quite removed from those of Hegel, is to distort, and even to foreclose access to, the true nature of his thought.¹⁵⁰ Nor can such concern be easily allayed by a contemporizing approach that seeks, as does this one, to situate Hegel's practical philosophy itself in the wider context of his philosophy. For the ultimate issue here is not simply one of holistic interpretation but holistic rationality itself, one articulated in a notion of foundational self-sufficiency. On this view, any contemporary application represents an instrumentalization inimical to the truth-content of Hegelian reason.¹⁵¹

In this book, I dispute such views. I do so, however, not by suggesting that Hegel's practical philosophy holds contemporary value over and against the core aims and intentions of his thought. Instead, I claim that attention to the contemporary value of his thought, his practical philosophy in particular, is mandated, at least in part, by those very aims and intentions. A full defense of this position would require an examination of Hegel's account of philosophical holism and the degree to which it incorporates—in opposition to, say, Spinoza or Schelling—the principles of differentiation, transformativity, and self-transcendence basic to the account of dialectics presumed in this book. Such an undertaking cannot be attempted here. Instead, I restrict myself to few observations about the degree to which a contemporizing dimension is entailed by Hegel's own conception of philosophical historiography.

To begin with, a future reference is central to Hegel's very conception of philosophy.¹⁵² Philosophy, for Hegel, is famously the self-apprehension of a particular age—"its own time comprehended in thought."¹⁵³ As already indicated, such self-apprehension, if only on epistemic grounds, is never complete. No act of self-comprehension can ever grasp its own act of comprehension. Indeed, every such act generates a fissure between its reality and its reflection on that reality. Such fissures in turn can trigger the emergence of new and more variegated levels of intellectual life, those that more effectively narrow the gap between reality and self-reflection bequeathed by its predecessor. "Through knowledge spirit makes manifest a distinction between knowledge and that which is; this knowledge is thus what produces a new form of development."¹⁵⁴ No philosophy can transcend its age, Hegel regularly reminds us.¹⁵⁵ Yet it is a feature of the "form," if not the content, of any act of retrospective self-apprehension that the latter occasions the emergence of modes of intellectual life that do represent new expressions of the human spirit. One philosophy is "the inward birth-place of the spirit that will later arrive at actual form."¹⁵⁶

What distinguishes a later form of spirit, however, is that it has the earlier form as its object of knowledge. Proceeding from the view that philosophy itself is the effort to address received bifurcations, Hegel claims that a new stage of cultural life is animated just by its conscious engagement with the separation of reflection and reality characterizing the developed form of a previous culture. A new stage thus “knows what a previous one is.”¹⁵⁷ To say this, however, is also to say that it knows it better.¹⁵⁸ Inasmuch as a later cultural formation apprehends what is epistemically not available to an earlier culture’s self-understanding (i.e., more adequate self-reflection), it can fashion a more complete, less restricted understanding of a previous culture, one deeper and more profound than that possessed by the earlier culture itself.¹⁵⁹

Thus, while Hegel is clearly committed to a notion of philosophical truth understood in terms of a logic of internal self-comprehension, that does not preclude reference to historically subsequent forms of philosophical reflection. He maintains rather that a feature of the internal self-comprehension of one cultural formation is just its initiation of later phases of culture, those dedicated to expanding and deepening understanding of that cultural formation itself.¹⁶⁰ Consonant with his general claims about the dialectical relationship of self and other, Hegel’s account of the truth of a particular philosophy is intertwined with an account of intellectual history for which orientation toward future revisioning and reassessment is an internal component of that philosophy itself.¹⁶¹

Hegel’s point, though, is not just that reference to future reception is implicated in the proper understanding of a philosophical position. His claim as well is that the truth-value of an earlier cultural creation is linked to its later reception. On his account, the truth of such creations consists in their living quality—their animating spirit, as it were. Such vitality is reflected in the degree to which a work expresses the values, practices, and attitudes of a particular culture. To the extent that an artifact ceases to articulate an organic connection to its historical circumstances, it loses its specific meaning and significance. It is because the relevant nurturing conditions no longer existed in his own day that Hegel said “there can be no Platonists, Aristotelians, Stoics, or Epicureans today.”¹⁶² Thus, without denying that the thought of earlier thinkers have continuing value, Hegel contends that that value cannot be secured simply through efforts to reaffirm or restore an original meaning or content. While approaches of this sort may have their place in philology and other forms of historical investigation, philosophical historiography, committed to the truth-content of a work, requires restatement of an earlier doctrine in terms that are topical for members of the current cultural community. Philosophical historiography “has to do not with what is gone but with the living present.”¹⁶³ Hegel’s position has been aptly characterized by Hans-Georg Gadamer, for whom Hegel was the precursor of his own method of contemporizing hermeneutics. “Hegel states a definite truth, inasmuch as the essential nature of the

historical spirit consists not in the restoration of the past but in thoughtful mediation with contemporary life."¹⁶⁴

How do these insights bear on contemporary reception of Hegel's own thought? In an essay on this topic, Rolf-Peter Horstmann urges demarcating Hegel's legacy from our reception of it. "[I]t is one thing to find out what a legacy consists in, it is quite another to decide what to do with it."¹⁶⁵ In issuing this directive, Horstmann counsels us to attend to "Hegel's philosophical intentions"¹⁶⁶ and to be "faithful to his will."¹⁶⁷ It is questionable, however, whether Horstmann's proposal in fact does justice to Hegel's will and intentions.¹⁶⁸ As noted, Hegel himself asserts that appreciation of the meaning of a philosophical inheritance requires its restatement in terms that are relevant and meaningful to a current audience. He said as much when defining the concept of a philosophical legacy. A "legacy is at once reception and use of an inheritance" (*zugleich Empfangen und Antreten der Erbschaft*).¹⁶⁹ Thus, fidelity to Hegel's own legacy would seem to entail efforts to restate his thought in ways relevant to the concerns of contemporary readers.

To be sure, to suggest that we gain access to the meaning and value of Hegel's thought by integrating it into a nexus of issues that are of concern to contemporary thought and culture is not itself to presume that those issues possess a privileged philosophical status. If for no other reason, such privileging of "the present standpoint," as Hegel would call it, is also at odds with the Hegelian project itself.¹⁷⁰ Not only can it contribute to that sanctification of given immediacy anathema to Hegelian thought generally; and not only can it disregard Hegel's contention that the present, including the questions it asks, is shaped by the past in ways that undermine any easy assertion of normative superiority; the notion of dialectical rationality to be appropriated for the present use is itself committed to a mediation of negative and positive perspectives that precludes an uncritical affirmation of the present standpoint. Thus, to account for the contemporary relevance of Hegel's thought, one must attend at least as much to the challenges it poses as to the connections it forges. Quentin Skinner once wrote:

[I]t may be precisely those aspects of the past which appear at first glance to be without contemporary relevance that may prove upon closer examination to be of the most immediate philosophical significance. For their relevance may lie in the fact that, instead of supplying us with our usual and carefully contrived pleasures of recognition, they enable us to stand back from our own beliefs and the concept we use to express them, perhaps even forcing us to reconsider, to recast and even . . . to abandon some of our current beliefs in light of these wider perspectives.¹⁷¹

The considerations advanced in this book are predicated on the view that the contemporary relevance of Hegel's practical philosophy lies in its special

capacity, particularly with reference to a theory of dialectical rationality, to compel us to reconsider, recast, and even abandon some current beliefs in light of wider perspectives.

To say that Hegel's contemporary value lies in its capacity to challenge contemporary modes of thought is certainly not to deny its more direct application of current historical and social realities. Hegel's philosophy represented a response to the conflicts and challenges of his age. In the face of those tensions, he sought to adumbrate new forms of social cohesion, those that would build on the tensions themselves. Our own age displays affinities with Hegel's, however much it is removed otherwise. Shaped increasingly by phenomena such as globalization, changing views of secularity, and new accounts of social and political life, the present age is also riven by a wide range of tensions, dislocations, and transformations. For us as well, such phenomena demand new forms of social thought and social relations, those able to articulate new modes of social cohesion in the face of changing forms of diversity and differentiation. In this respect as well, dialectical analysis possesses a value for our age not unlike that Hegel asserted it had for his own.¹⁷²

Finally, a note about interpretive strategy is in order. Because this book seeks to relate Hegel to issues of contemporary significance, many chapters have a decidedly reconstructive character, stating Hegel's position in ways that may deviate from his own presentation. Yet this book also seeks to ensure that any reconstruction remains grounded in textual material. Indeed, the reading of Hegel offered scrupulously seeks to afford attention not just to the totality of Hegel's historically published works but also recently discovered lecture versions of his political philosophy. In addition, the interpretations presented draw significantly on the tradition of German Hegel scholarship, famous and sometimes infamous for its exacting attention to textual detail. Moreover, while the focus is on Hegel's social and political theory, that theory is related—as Hegel said it must be—to the broader logical or metaphysical assumptions that inform his work and his system as a whole. Finally, although the focus is principally on Hegel's "mature" writings in practical philosophy—the *Philosophy of Right* and the *Encyclopaedia of Philosophical Sciences*' "Theory of Objective Spirit," these works are considered in relation to the entire corpus of Hegel's work, and not only the early systematic writings dating from the early 1800's but the practical philosophy of his youth.¹⁷³ It is my contention that while there are clearly different stages in Hegel's development, his basic intention—reaffirming the principles of a holistic practical philosophy under conditions of modernity—remains remarkably constant.¹⁷⁴ Attention to this version of a unity in diversity is also valuable for understanding Hegel's practical thought and its ongoing significance.

Part I

Normative Political Theory in Dialogue

2 Hegel, Marx, and the Concept of Immanent Critique

With others, Marx criticizes Hegel's work *Philosophy of Right* for its apologetic stance regarding the status quo. For Marx as well, Hegel's political thought dogmatically assigns rationality to existing social and political reality. Unlike many critics, however, Marx does not consider Hegel's so-called attitude of accommodation to be simply a moral failing or an expression of political cowardice.¹ He does not follow Arnold Ruge in accusing Hegel of betraying essentially critical principles in order to curry favor with state authorities.² In Marx's view, Hegel's conservatism is rooted in the innermost structure of his thought.³ Because the *Philosophy of Right* is conceived as part of a metaphysical system based on the identity of reason and reality, it necessarily sanctifies existing political arrangements. "There can no longer be any question about an act of accommodation on Hegel's part vis-à-vis . . . the state, etc., since this lie is the lie of his principle."⁴

Marx is not alone in arguing that the purported conservatism of Hegelian politics is rooted in a speculative identity philosophy. In his 1857 *Hegel und seine Zeit*, Rudolph Haym marshaled similar arguments to criticize a political philosophy that, for him, represents the "scientific lodging of the spirit of the Prussian restoration."⁵ For Haym as well, Hegel's speculative equation of reason and reality is "the absolute formula of political conservatism."⁶

Unlike Haym, however, Marx does not finger the conjunction of reason and reality as *itself* the source of Hegelian dogmatism. The conservatism entailed by Hegel's identity philosophy does not derive from a failure to distinguish between what is and what rationally ought to be, between fact and value.⁷ Far from criticizing Hegel on this score, Marx actually appropriates Hegel's principle of the homogeneity of reason and reality when formulating his own account of normative theory.⁸ For Marx, Hegel's conjunction of thought and being furnishes the methodological parameters for a concept of social criticism that eschews the dichotomy of descriptive and prescriptive analysis. Marx calls this *immanent* critique. Unlike the utopian forms of criticism identifiable with anarchists, young-Hegelians, Kantians, and natural law theorists,

immanent critique evaluates reality not with alien principles of rationality but those intrinsic to reality itself. An immanent approach to social criticism exposes the way reality conflicts not with some "transcendent" concept of rationality but with its own avowed norms. In Hegelian speculation, Marx finds the rudiments of an objective or "scientific" approach to critical theory, one in which reality is challenged not with arbitrary constructions but with norms whose acknowledged validity is part and parcel of social reality itself.⁹

What Marx does find objectionable in Hegel's principle of the unity of reason and reality is not the principle itself but its dogmatic formulation. Invoking Feuerbach's assertion that Hegel inverts subject and predicate, Marx argues that Hegel subordinates the conjunction of reason and reality to the requirements of a metaphysical system that twists what is critical into a philosophical benediction of existing social-political conditions. Hegel does not focus on the disparity between reality and its own norms. He presents his theory as part of a generative idealism, or "pantheistic mysticism," which construes existing reality as the product of hypostatized categories possessing *a priori* status. In his critique, therefore, Marx directs his animus less at the identity principle than its specific construction. In accord with his professed intention to extract a rational kernel from the mystical shell of Hegelian speculation, Marx attacks the metaphysical apparatus that leads Hegel to conceive the dialectic of reason and reality as a tool for speculative rationalization rather than immanent criticism. Indeed, Marx's own *Realwissenschaft* can be viewed as a sustained effort to construct the normative science of reality that he found Hegel should have developed but did not.

In this chapter, I question Marx's assessment of Hegel's account of the relationship of reason and reality. I argue that Hegel has not committed the errors Marx ascribes to him, that in fact his conception of the conjunction is virtually identical to the concept of immanent critique that Marx claims can be secured only by repudiating Hegel's understanding of his own project. Without denying that there is a metaphysical dimension to Hegel's conception of the relationship of reason and reality, I contend that, properly understood, this dimension, far from obstructing development of a meaningful concept of immanent critique, actually preconditions it. Further, through an examination of their respective receptions of the modern natural right tradition, I argue that Marx's appropriation of Hegel's identity principle, far from improving on the Hegelian formulation, actually lacks Hegel's degree of theoretical sophistication. I conclude by briefly comparing Hegel's conception of normative theory to that of Jürgen Habermas, who, in opposition to Hegel and Marx alike, advances a notion of critical social theory based not on internal criticism but on "border conflicts" between two separate and distinct notions of rationality. The broader aim of this chapter is to clarify the nature and continued value of Hegel's dialectical approach to normative social

theory, one based on a mediated account of the relationship of immanent and transcendent considerations.

I

Let us first consider where Marx errs in his general reception of Hegel's concept of philosophy and specifically his *Realphilosophie*. This error is discernible in the claim that Hegelian metaphysics is a generative idealism, or "pantheistic mysticism," which presents existing reality as a product of concepts possessing *a priori* status. Although quite common, this view misrepresents the basic character of Hegel's account of the relationship of reason and reality. Properly understood, this conjunction designates a reconstructive rather than generative undertaking. It is an effort not to conceive the real as a theoretical construct, but to reconstitute existing assumptions and theories from the standpoint of reason. Hegelian *Realphilosophie* is best interpreted not as a pantheistic emanation of the real from the ideal, but a prodigious "reworking" in which perceptions and assumptions are broken down, cleansed of their adventitious impurities, and reshaped to the demands of thought.¹⁰ For Hegel, philosophical truth turns on the correspondence of thought and being, the *adaequatio rei et intellectus*; yet such correspondence is not capitulation of thought to given reality, but the elevation of reality to the concept, the *adaequatio rei ad intellectum*. Hegel describes philosophy as the comprehension (*Begreifen*) of what is, yet comprehension is not the positing (*Setzung*) of reality out of concepts, but a translation process (*Übersetzungsprozess*) in which material generated empirically and historically is "brought to the concept" (*auf den Begriff gebracht*).¹¹

So conceived, Hegel's philosophical method is not intrinsically apologetic. As a reconstructive undertaking, Hegelian science has a decidedly evaluative dimension, one committed to assessing reality from an explicitly normative standpoint. What should be emphasized, however, is not just that there is a normative dimension to Hegelian *Realphilosophie*, but that Hegel employs the very method of immanent criticism Marx intended to develop in seeking to extract a rational kernel from the mystical shell of Hegelian speculation.¹² For Hegel, rational reconstruction is the process by which reality is judged in terms of its own intrinsic standards of rationality. The process of elevating the real to the concept is equally that of elevating it to its own concept. The *adaequatio rei ad intellectum* is nothing but the process of determining whether an object corresponds to its indigenous principle. "Objects are true when they are that which they should be, that is when their reality corresponds to their concept."¹³ Hegel conjoins reason and reality not to legitimize existing conditions, but, fully anticipating Marx, to judge them in terms of inherent standards and potentials.

Hegel's position, to be sure, differs from Marx's position. Whereas Marx's methodology seeks to actualize the potential of a given reality, Hegel's reconstructive science proposes to constitute reality itself—the reality of the real, as it were. Hegel's system does take the form of a constructive ontology. Yet Hegel does not deduce reality from thought in the apologetic way described by Marx. Rather, Hegel's ontology has a normative function, one wholly in keeping with the reconstructive dimension of Hegelian science. It has rightly been termed a “critical ontology.”¹⁴ True reality (*wahrfhafte Sein*) or actuality (*Wirklichkeit*) is constituted when mere existence (*Dasein*) is merged with its concept (*Begriff*), and only that which survives this process of reconstruction is true, good, and real. Hegel's purpose is acknowledged by Herbert Marcuse: “‘Real’ comes to mean not everything that actually exists (this should rather be called appearance), but that which exists in a form concordant with the standards of reason. ‘Real’ is the reasonable (rational), and that alone.”¹⁵ Conversely, anything not conformable to rational standards has no actuality, no being in the emphatic sense of the word. As Hegel writes: “A bad state is one which merely exists; it has no genuine reality. . . . Not everything that exists is rational in itself.”¹⁶ Indeed, Hegel's ontological reconstruction purports to expose the irrationality and, *a limine*, irreality of given reality, for to identify reality as it truly is is simultaneously to specify what is false in existing conditions. “Only in its concept does something possess actuality; to the extent that it is distinct from its concept it ceases to be actual and is a non-entity.”¹⁷ Hegel's ontology is predicated on a distinction between true being and mere existence that at once specifies how things ought to be and how they fall short of their true essence.¹⁸ His conjunction of reason and reality may fashion reality as a theoretical construct, but certainly not to sanctify *facta bruta*.

II

Marx is aware of the Hegelian distinction between existence and actuality. His regular praise for Hegel's principle of negativity is, in part, an acknowledgment of Hegel's effort to account for the real in a way that surpasses the spuriousness of the given. However, Marx contends that the speculative conception of the relationship of reason and reality prevents Hegel from differentiating existence and actuality in a critically significant way. Actualization denotes not the process in which a rationality only implicitly present in existing reality attains true being, but that through which a metaphysical concept of reason finds the external expression required for its complete realization. The transition from partial to complete reality only expresses the autarchic movement of a hypostatized subject, a process that leaves existing reality untouched. Hegel may distinguish between actuality and mere existence, but only as regards the difference between existing reality and the same reality construed as the manifestation of a

transcendent concept of reason. For Marx, Hegel's purpose in introducing this distinction is not to question the priority of the given, but to equip it with a philosophical rationality for which it itself did not even strive. Hegel challenges existing reality, but with a mystifying positivism that "twists the empirical fact into a metaphysical axiom."¹⁹ Whereas Marx has reason confront reality in order to actualize the real's unrealized potential, Hegel merely restates in philosophical form assumptions and institutions as they already exist.²⁰ It is precisely this "philosophical dissolution and restoration of the existing empirical world" that, for Marx, constitutes "the secret, uncritical positivism" of Hegelian idealism.²¹

Marx's criticism contains some validity. While ignoring the reconstructive component of Hegel's concept of actualization, Marx raises a legitimate question when asking whether there is anything critical about Hegel's distinction between existence and actuality. After all, though Hegel does challenge the given, he does so with a conception of double negation directed to a restoration of the real, to what Hegel calls a "reestablishment of . . . immediacy,"²² a "reestablished being" (*wiederhergestellte Sein*).²³ Moreover, Hegel does posit a close connection between mere existence and its reconstructed correlate, even calling it a one-to-one correspondence.²⁴

Still, the criticism misses the mark, for Hegel does in fact differentiate between the reality established in the reconstructive process and its empirical wellspring. This is clear first in his conception of the relationship of philosophical and historical developments of the concepts considered in his *Realphilosophie*. Were Hegel interested merely in restating empirical conditions, he presumably would espouse a wholly isomorphic conception of the relationship of conceptual and historical developments—logic and chronology. This is Louis Althusser's position. Althusser reproaches Hegel for a "vulgar empiricism" in which the "speculative genesis of the concept is identical with the genesis of the real concrete itself, i.e. with the process of empirical history."²⁵ In fact, however, Hegel does distinguish between the order of time and the concept. In the *Philosophy of Right*, he differentiates between "a series of thoughts and a different series of existent configurations," arguing that the temporal order of appearance is distinct from a conceptual order.²⁶ If, in the course of historical development, the Greek polis (Hegel's "ethical life") precedes the emergence of individual right and subjective morality, if, in the actual course of development, state precedes the emergence of modern market societies,²⁷ so in Hegel's dialectical reconstruction the order is reversed.²⁸

Yet Hegel's system of actuality not only establishes a developmental order of conceptual categories that is different from the order of empirically generated phenomena, it fashions altogether new categories, those without precise correlate in existing reality. Conceptual reconstruction "introduces, and gives currency to other categories . . . ; [it] expands and remodels with wider categories principles which have been ascertained in an empirical manner."²⁹ Thus, while noting the nominal similarities between conceptual

and merely historical accounts of ethical life, Hegel argues that, unlike historical accounts, the conceptual account of ethical life incorporates the distinctly *modern* principle of civil society. Likewise, the concept of right delineated in the *Philosophy of Right* is not only the principle that evolved historically—abstract, formal, right—but, more comprehensively, a category connoting morality, ethical life, and even world history. In both cases, Hegel emphatically distinguishes between empirical existence and its conceptually reconstructed correlate, indicating thereby how the reconstructed entity can serve as a norm available to assess the rationality of empirical reality.³⁰

III

It may appear that Marx's criticism has not been given its due. Even if Hegel's work fashions the unity of reason and reality on the model of a normative reconstruction, it does not follow that his *Realphilosophie* is based on the principle of immanent critique. Instead, it could be argued that Hegelian reconstruction is based on a wholly *transcendent* use of adequation, one that judges reality not on its own standards but specific to a speculative concept of reason. Even in a reconstructive reading, Hegel may be found guilty of the error of which he is accused: he imposes on his principle of the unity of reason and reality a metaphysical carapace that obstructs development of a notion of critique based on an examination of the real in terms of its own rationality. Even if his conjunction of reason and reality does not express a pantheistic mysticism, Marx would still seem justified in charging that Hegel is "not allowed to measure the idea by what exists; he must measure what exists by the idea."³¹

This criticism has considerable merit. Both as regard the object of analysis and its method of investigation, Hegel's process of philosophical reconstruction is infused with transcendent or external considerations. Although Hegel understands normative reconstruction as the comparison of existence with concept, he focuses not on conventionally acknowledged notions of a thing but its metaphysical essence. The philosophical understanding of the thing "not only may be different from our common idea of it but must be different in form and content."³² Likewise, in his method of reconstructive evaluation Hegel employs principles of rationality which do derive not from conventional assumptions but from the autonomous requirements of a self-grounding philosophical logic.³³ He defines reconstruction as an elevation of the real not to its own concept than to the concept *per se*, not its own specific concept but the "pure" concept.³⁴ From both an ontological and epistemological perspective, Hegel construes the normative *adaequatio rei ad intellectum* as the correspondence of existence not to acknowledged standards but to decidedly transcendent principles of reason.³⁵

But while he does in fact appeal to transcendent standards, Hegel does not thereby abandon immanent critique. He certainly does not jettison dialectical social analysis in favor of metaphysical speculation. While defining adequation as the elevation of reality to a transcendent or absolute concept of rationality, Hegel construes the process as inextricably intertwined with construction of a viable account of immanent critique. Indeed, when properly understood, immanent critique for Hegel presupposes transcendent criteria.

In Hegel's view, immanent critique examines contradictions. It seeks to expose and eliminate the conflict between reality and its true essence. So understood, however, immanent critique does not attend merely to discrepancies between reality and common conceptions concerning its essence. Its chief focus is not a tension between a thing and what conventionally passes as its true nature. Rather, immanent critique examines *essential* contradictions, oppositions between a state of affairs and its true nature or essence. In Hegel's terms, immanent critique identifies what is *self*-contradictory, that which contradicts its true being (i.e., "the disparity of the substance with itself").³⁶ A critique concerned with anything but essential *self*-contradiction does not scrutinize the real in terms of its intrinsic rationality. Something may conform to conventional assumptions and still be at odds with its true nature. An existing correspondence of thought and being may itself express an "inadequacy of concept and existence;"³⁷ it need not indicate anything about the relationship of a thing to its real essence, the subject of a genuine *adaequatio rei ad intellectum*.³⁸ Indeed, given that conventional assumptions often lack any relationship whatsoever to the matter at hand, criticism in their name may rely on standards fully alien and inappropriate to the object of evaluation. Such critique "expresses not so much the immanence and essential nature of the determination as its relation to an understanding *external* to it."³⁹ A concept of critique focused on an immanent analysis of the relation of thing to its true essence attends not to standards contained "in our ideas and language" (*in den Vorstellungen und in der Sprache*), but to those conforming to "the essential nature of the thing itself" (*die Notwendigkeit der Sache an und für sich selbst*).⁴⁰

So understood, immanent critique itself has a decidedly *transcendent* dimension. This is so first in an ontological sense. Because truth is understood as the correspondence of an object with itself, evaluation cannot rely on common conceptions of a thing's nature. Given that those conceptions may miss or distort the true essence of the thing, appeal must be made to considerations that fully surpass conventional assumptions. In a word, immanent critique for Hegel presupposes a metaphysical approach to reality, one focused not on given definitions but those pertaining to what the object is in and of itself.⁴¹ Only by focusing on the essential and underlying nature of things—traditionally, the "being of beings"—does one analyze an entity in terms of its own intrinsic concept. To eschew speculation in favor of historically received criteria is to advert to assumptions that may be

fully alien to the matter at hand. Philosophical criticism confronts reality in terms of its own indigenous standards, but this presupposes recourse to the “unchanging archetype of the thing itself” (*Urbild der Sache selbst*).⁴² Only through *cognitio speculativa entis qua entis* may existing historical reality be evaluated in terms of its own rationality. Only after ascertaining an entity’s essential definition concept can the adequacy of an existing relationship of concept and existence be evaluated.

Hegel’s approach to immanent critique is also transcendent in an epistemological-methodological sense. One scrutinizes the intrinsic rationality of the given not by relying on existing principles of evaluation but by engaging wholly different tools of normative evaluation. Conventional approaches are deficient because they assume precisely what must be clarified. Guided by the standard of what Hegel calls “correctness” (*Richtigkeit*), common forms of evaluation focus on the adequacy of existing objects and existing conceptions of those objects. By contrast, a model of truth based on correspondence of an object with itself—that is, truth proper (*Wahrheit*)—must first ascertain the adequacy of those things themselves.⁴³ Therefore, a consequential theory of “objective truth” presupposes recourse to the type of conceptual procedures Hegel adumbrates in the *Science of Logic*. Presented variously as a theory of true being, absolute form, absolute subjectivity, absolute truth, or the absolute Idea (unity of concept and existence), the *Logic* investigates the questions that must be resolved in a genuine account of “the rationality of an object”⁴⁴—those pertaining to the nature of objects, genuine selfhood, adequate correspondence, infinite form, and true subjectivity. It likewise addresses what “finite forms of thought . . . allow to pass unquestioned:”⁴⁵ the nature of the distinction between spurious and real expressions of a thing, its concept and their relationship. Marx complains that in Hegel’s thought “the philosophical moment is not the logic of reality (*Logik der Sache*) but the reality of logic (*Sache der Logik*).”⁴⁶ For Hegel, however, only the *Sache der Logik* provides access to the *Logik der Sache*. Only with an account of the Idea as such can one properly ascertain whether a specific entity conforms to its own principles.⁴⁷ Only with an account of the “right form” can one judge the adequacy of any empirical conjunction of form and content.⁴⁹ Evaluation of condition in terms of its own concept necessitates an account of “the concept of the concept.”⁴⁹

Marx is, therefore, right to argue that Hegel’s notion of the *adaequatio rei ad intellectum* has a transcendent dimension. From both an ontological and epistemological perspective, Hegel scrutinizes reality through the lens of criteria that may lack any relationship whatsoever to acknowledged standards. Yet the criticism is wrong to assume that Hegel’s principle of adequation renounces immanent analysis. In Hegel’s account, transcendent evaluation is the precondition for immanent critique. Hegel does indeed subordinate analysis of existing reality to the logical and ontological requirements of a philosophical science, yet it is only by observing such requirements that immanent evaluation is possible. When

understood as evaluation of reality in terms of its true self, immanent critique is perforce a speculative undertaking.⁵⁰ Hegel's transcendent approach to immanent critique accords with his general dialectical contention that a thing's subordination to what is alien is simultaneously its return to itself ("so geht hiermit Etwas in seinem Übergehen in Anderes nur mit sich selbst zusammen").⁵¹

IV

For Marx, this "transcendent" rendering of immanent critique is but further evidence of Hegel's mystifying propensity to scrutinize existence in terms of criteria extraneous to the reality of the matter under consideration. To appreciate Marx's criticism, however, one must recognize that he does not fully disagree with Hegel about the value of a transcendent approach to immanent critique. For Marx as well, "authentic" (*wahrhafter*) immanent critique cannot rely on conventionally accepted standards, but must have recourse to criteria that surpass the immanent domain.⁵² Central to his critique of political economy is the recognition that genuine criticism scrutinizes existing conditions not in terms of conventional concepts but those pertaining to the object as it is in and of itself.⁵³ In addition, Marx recognizes that critical analysis of reality in terms of its intrinsic nature requires special tools of analysis, tools able to uncover "the hidden substratum of things"⁵⁴ and to distinguish between their "outward appearance and . . . essence."⁵⁵ Perhaps most significantly, however, Marx follows Hegel's lead in employing the concept of *essential contradiction* when distinguishing authentic immanent criticism from what he calls its "vulgar-dogmatic" counterpart. Though both forms of criticism focus on contradictions, authentic critique keys on oppositions endemic to reality itself, while vulgar criticism attends to superficial tensions and spurious discrepancies that leave unchallenged the force of real antagonisms.⁵⁶

Marx's critique of Pierre-Joseph Proudhon illustrates this distinction.⁵⁷ Although Proudhon attacks contradictions in modern capitalist society, he focuses merely on whether modern societies fulfill their own claims, failing to see that those claims misrepresent and mask the true reality of modern social life. Proudhon asks whether modern societies do justice to the principle of equality implicit in modern concepts of free exchange, failing to see that free exchange is not the real basis of modern society but merely the ideological rationalization of a society whose true reality lies in the private appropriation of property and the forcible exclusion of producers from the means of production.⁵⁸ Proudhon is a vulgar-dogmatic critic because he focuses on superficial oppositions rather than real antagonisms, thereby reaffirming society's dogmatic self-understanding.⁵⁹ He fails to engage in the authentic immanent critique that demonstrates that society's *self-conception* is at odds with its true reality.⁶⁰

Marx is thus not entirely opposed to a transcendent understanding of immanent critique. In defining immanent critique in terms of the essential contradiction between reality and its true nature, Marx also recurs to criteria at odds with acknowledged assumptions and categories. What Marx criticizes in Hegel is not a “transcendent” method of scrutinizing social reality but the mystical expression it acquires in Hegel’s thought. For Marx, Hegel’s speculative metaphysics prevents development of the principle of *essential contradiction* in the way needed to expose the discrepancy between given reality and its true nature. The “false positivism and seeming criticism”⁶¹ of Hegelian philosophy stems from Hegel’s tendency to criticize reality in a way that not only does not expose existing irrationalities but gives them metaphysical validation. In this sense, Marx contends that Hegel’s speculative use of contradiction leads to the vulgar-dogmatic criticism that a genuine theory of contradiction would challenge.⁶² On the one hand, Marx credits Hegel for his insight into the antagonisms of modern social life—for his recognition of the inherently unstable way in which private need and public good, commercial and political interests, are mediated in modern society.⁶³ On the other hand, he faults Hegel for merely noting the presence of such contradictions while failing to “explain them, grasp their essence and necessity.”⁶⁴ Hegel does not show that such antagonisms are the inevitable expression of a class society based on private property and the private ownership of the means of production. In line with a speculative dialectic that regards oppositions as essential to unity, Hegel perceives oppositions as the necessary ingredients of a greater social whole. Not unlike Adam Smith and Mandeville, Hegel presents apparent antagonisms as the phenomenal expression of a more basic harmony, thereby masking the real social disharmony expressed in such antagonisms. While recognizing the contradictory character of social reality, Hegel “contents himself with the appearance of its dissolution, and passes it off as the real thing.”⁶⁵ For Marx, harmony belongs to the realm of societal illusion (*Schein*), while antagonisms are the manifestation (*Erscheinungen*) of society’s true essence. Hegel turns the process inside out by presenting contradictions as the phenomenal manifestation of society’s true essence, while making real contradictions illusory. “Hegel’s chief mistake is that he conceives of contradiction in appearance as being a unity in essence, i.e., in the Idea; whereas it certainly has something more profound in its essence, namely, an essential contradiction.”⁶⁶

V

Again, Marx is not entirely mistaken. Hegel certainly does not explore societal contradictions with the thoroughness Marx prefers. But Marx is wrong to argue that Hegel provides a metaphysical whitewash of existing social realities. For one thing, Hegel explores, with an acuteness not always

matched by Marx, tensions inherent in modern society (e.g., the need for colonialism). For another, Hegel develops, with the concept of ethical life, a communitarian concept of social relations that not only opposes modern political reality but anticipates features of Marx's own solution. It is simply wrong to interpret Hegel's notion of ethical life as an insidious apology for bourgeois society. Hegel certainly incorporates into his account *features* of existing social relations, including the dichotomies Marx finds problematical. Yet, for Hegel, any other solution is inconceivable. A supersession of *existing* relations can be effective only if it incorporates in its new model elements of the position requiring transformation. Besides, Hegel maintains that a genuine ethical totality is only one where societal differentiations are preserved and encouraged rather than eliminated.

But for present purposes, what is most important is that a solution other than that proposed by Hegel would lose sight of what is at stake in a theory of critique based on the concept of essential contradiction. For Hegel, contradiction pertains not to the wholesale falsity of existing reality but to the disparity between existing reality and its true nature. At issue is indeed a theory of immanent *self*-contradiction. Certainly, analysis of immanent self-contradiction requires appeal to independent considerations, just as the aim of immanent critique is to lead beyond the domain of immanence. Yet Hegel invokes transcendent standards not to deny existing reality but to realize it. Although he contraposes ethical life to that "loss of ethicality" characteristic of civil society ruled by "possessive individualism," he does not repudiate civil society altogether. The move to ethical life is conceived rather as a realization of civil society's rational essence. For Hegel, market-mediated, "civil" society is defined by a complete interdependence of individual and community—indeed, the mediation of universal and particular that defines ethical life. But because this unity is sustained "unconsciously"—through the invisible hand that assumes that unity results from individuals pursuing private interests—civil society, in fact, is at odds with its true essence. Civil society realizes its true nature only in ethical life, where mediation of universal and particular is not the unconscious by-product but the deliberate object of human activity. True, in explaining the transition from civil society to political community, Hegel appeals to criteria alien to the principle of civil society. New tools—those of speculative reason (*Vernunft*), rather than analytic understanding (*Verstand*)—are needed to forge the union of private interest and public welfare. But the appeal to such transcendent considerations is necessary not to transcend the given but to actualize its existing possibilities.

Therefore, while Marx is correct that Hegel does not construe the theory of essential contradiction so as to expose the wholesale falsity of existing reality, he should not have expected any such construction. For Hegel, essential contradiction is a principle of immanent critique: it is a tool for ascertaining the correspondence and discrepancy between reality and its true being. Hegel may employ transcendent considerations in this

notion of critique, but only to actualize the present's rational potential. To assume that Hegel ought to have exposed the wholesale falsity of existing relations is to endorse a notion of social criticism that violates strictures accepted by *both* Hegel and Marx. Marx may be right to reproach Hegel for formulating a concept of contradiction that exaggerates the underlying affinity of the opposed components, for focusing excessively on the "differentiated determination of the self-same essence."⁶⁷ But the notion of immanent criticism is intelligible only by presupposing an essential connection between a spurious reality and its true essence. The notion of wholesale falsity is incompatible with the concept of *self*-contradiction central to immanent criticism.⁶⁸

VI

The real question here concerns the critical status not of Hegel's but Marx's project, for Marx's misrepresentation of Hegel's position reveals inadequacies in his own view. For instance, it is unclear how Marx's conception of essential contradiction is compatible with his avowed commitment to the principle of immanent critique.⁶⁹ For Marx, essential contradiction does not denote the discrepancy between an entity and a germinally present, albeit unrealized, conception of rationality; it designates the wholesale falsity of the real. This is the principle of negativity appropriate for a social theory determined to expose the falsity of a society based on the forcible exclusion of the producers from the means of production. As a result, Marx, *malgré lui*, cannot expect existing reality to furnish a critical standard of rationality. Having demonstrated the intrinsic irrationality of the real, he must invoke normative criteria that surpass the domain of immanence—namely, utopian criteria.⁷⁰ Thus, in the *Economic and Philosophical Manuscripts*, Marx advances a view of human self-realization based not on the actualization of existing potentials but on the creation of altogether new needs and altogether new modes of their satisfaction—those focused not on privatism and utility but communality and sensual-aesthetic enjoyment.⁷¹ In the *Grundrisse*, Marx presents a vision of social life that is not a realization of tendencies inherent in market relations but a radical overcoming of the mode of exchange itself, a substitution of market relations with those based on unmediated solidarity.⁷² In the same work, he characterizes communism not as a more rational use of labor time but the repudiation of labor itself.⁷³ In the *Science of Logic*, Hegel goes to great lengths to demonstrate the coimplication of freedom and necessity. By contrast, Marx radically contraposes the realm of freedom to that of necessity, characterizing the former as an autotelic domain (*Selbstzweckhaftigkeit*) lying beyond instrumentalism and "the sphere of material production."⁷⁴ Marx certainly claims to practice immanent critique: "human beings begin no new tasks, but consciously bring old tasks to fruition."⁷⁵ The task of theory,

he writes in the essay on the Paris Commune, is not to realize ideals but “to set free the elements of the new society with which the old . . . itself is pregnant.”⁷⁶ Still, the structure of contradiction that informs his concept of critique turns on wholly transcendent criteria.⁷⁷ The falsity of bourgeois society necessitates appeal to “standards *entirely* foreign to commodity production.”⁷⁸

Marx appears to address these problems in his theory of historical materialism. With the theory of class struggle and the doctrine of the dialectical interplay of the forces and relations of production, Marx seems to examine the real not with external norms, but in terms of its own intrinsic contradictions. In fact, however, Marx’s invocation of a theory of history only exemplifies the dogmatically transcendent character of his normative theory. For here, too, the scrutinized contradictions are not those central to a theory of immanent critique. The contradictions that infuse Marx’s account of historical materialism are not immanent self-contradictions, those bearing on the real’s conflict with its true essence or self. Instead, they pertain to the inner dynamics of an evolutionary process as it manifests itself in bourgeois society. Marx’s theory of historical materialism focuses not on contradictions immanent to reality itself, but on those fueling a developmental process that obeys a logic altogether independent of that which would be scrutinized in an immanent analysis of existing reality.⁷⁹ In this respect, Marx commits the errors for which he reproaches Hegel. The theory of internal negativity becomes part of the autarchic movement of a hypostatized subject, one that bypasses the immanent examination of social conditions. If Hegelian philosophy were indeed an autarchic process of spirit reflecting on itself, Marx’s dialectical inversion would be precisely what he says it is: its “direct opposite.”⁸⁰ Although Marx criticizes Hegel for applying criteria alien to existing reality, he is guilty of the same mistake.

VII

The difference between Hegel and Marx is particularly evident in their respective treatments of the modern concept of right. It is noteworthy that both thinkers are decided critics of the received notion. Both attack a concept of right based on juridical restraint and the safeguarding of private interests from external interference. Both maintain that true freedom is realized in a communitarian account of social relations, where others are regarded not as limitations but as conditions for individual self-realization. They differ, however, in their understanding of the place of right in such arrangements. In Marx’s account, the overcoming of the modern bourgeois or liberal conception of freedom is an attack on right itself. The liberal conception of right is based “not on the association of man with man, but on the separation of man from man. It is the right of this separation, the right of the restricted individual, withdrawn into himself.” The liberal

conception "leads every man to see in other men not the realization of his own freedom, but the barrier to it."⁸¹ For Marx, emancipation therefore consists not in extending individual rights, but in liberation from rights themselves. If legal relations serve to alienate men from their true social nature, the overcoming of right is a condition for self-realization itself. If right is the principle defining a society based on mutual antagonism and conflicting claims, a society in which such oppositions have been eradicated is an abolition of right itself. As Georg Lukács has observed: "the ultimate objective of communism is the construction of a society in which freedom of morality will take the place of the constraints of *Recht* in the regulation of all behavior."⁸²

This is not Hegel's position. While Hegel does challenge the liberal understanding of private right, he does not jettison the concept of right itself. Instead, he demonstrates that the liberal concept is itself unintelligible without a public dimension. Central to his argument is the concept of *autonomous personality*, the principle he claims informs modern principles of rights and liberties.⁸³ For Hegel, the concept of personhood presupposes an established political community committed to the worth and will of every individual. Personal rights have no meaning in a state of nature, where social relations are ruled by force, violence and caprice.⁸⁴ They require, instead, a lawfully ordered community that allows and encourages individuals freely to pursue their own conceptions of well-being. "Full personal freedom . . . can occur only in states governed by a determinate principle . . . the principle of justice."⁸⁵ And because institutions guaranteeing personal autonomy are effective only to the extent that individuals acknowledge the legitimacy of institutions and contribute to their continued existence, rights are themselves meaningful only if individuals embrace public obligations. Rights cannot simply be claimed; they have "to be earned and won through the endless mediation of discipline acting upon the powers of cognition and will."⁸⁶ Rights have real meaning only when individuals recognize duties to uphold institutions. "[A] man has rights insofar as he has duties, and duties insofar as he has rights."⁸⁷ In short, personal rights are, for Hegel, intelligible only against the backdrop of a reciprocal relationship between individual and community. Only in a lawfully ordered state is the individual "recognized and treated as a *rational* being, as free, as a person; and the individual, on his side, makes himself worthy of this recognition by overcoming the natural state of his self-consciousness and obeying a universal, the will that is in essence and actuality, the *law*; he behaves, therefore, towards others in a manner that is universally valid, recognizing them—as he wishes others to recognize him—as free, as persons."⁸⁸

Hegel's aim, however, is not just to assert a correlation between individual and *political* community, a position close to the republicanism criticized by Marx.⁸⁹ His more distinctive argument is that individual rights presuppose a *cultural* community, a communally accepted system of shared norms, beliefs, and values (*Sittlichkeit*). For Hegel, the autonomy central to

the concept of the person does not consist just in the freedom of choice, the opportunity to select among diverse ends and options. Conceived as a complete liberation from the tyranny of a state of nature, true self-determination extends to the object of choice. As against a concept of freedom as license (*Willkür*), authentic liberty (*Wille*) takes the form of a “substantive freedom” in which the content of volition is itself rendered a product of rational autonomy. So long as the substance of desire fails to express the worth of the sovereign personality, the individual remains in the grip of impulses and inclinations that are furnished heteronomously. Hence Hegel’s claim that genuine freedom presupposes a developed cultural community, that is, an achieved system of values expressing the “concrete aspects of national life—art, justice, ethics, religion and science.”⁹⁰ Only in a sociohistorically authenticated framework of public goods can the individual fully surmount subordination to natural desires and embrace the objective ends consonant with the idea of personal autonomy.⁹¹ Proper to the idea of personhood is “living a universal life.”⁹²

Naturally, Hegel is not proposing any slavish subordination of the individual to community values. In addition to asserting that personal freedom involves the right to define and legitimize values,⁹³ Hegel argues that genuine ethical community is inconceivable without such entitlement.⁹⁴ The differentiated totality constituting a national community rests on citizens deliberating about the ends of public life. “[T]he universal end cannot be advanced without the personal knowledge and will of its particular members, whose own rights must be maintained.”⁹⁵ Far from any authoritarian abrogation of individual liberties, Hegel’s championing of the political centrality of the *Volksgeist* is predicated on a commitment to personal rights.⁹⁶ The “Theory of Objective Spirit”—the *Encyclopaedia* title Hegel gives his political philosophy—is simultaneously a *Philosophy of Right*.⁹⁷

Still, if a nation’s spirit reposes on respect for individual rights, those rights are fully honored only within the context of a broader cultural community. The principle of self-determination central to rights presupposes a system of values where adventitious ends have been replaced with goods shaped and validated in a process of cultural development.⁹⁸ The system of ethical life is indeed the context “in which alone right has its actuality,”⁹⁹ where “freedom attains its supreme right.”¹⁰⁰ Just as the theory of Objective Spirit is a *Philosophy of Right*, the *Philosophy of Right* is a theory of Objective Spirit.

Hegel’s account of the mutual entailment of rights and community can be further appreciated by considering his reception of the doctrine of *natural* right, that aspect of the liberal tradition seemingly most alien to a genuine account of ethical life. Anticipating Marx, Hegel criticizes the doctrine of natural, prepolitical entitlements because it confers metaphysical necessity on an atomistic conception of human nature, a conception that in actuality is merely an image abstracted from a particular historical period, that is, modern bourgeois society. In addition, Hegel argues that the natural law

doctrine renders incomprehensible the very idea of personal rights, predicated as it is on the institutional conquest of the state of nature. "The real fact is that the whole law and its every article are based on free personality alone—on self-determination or autonomy, which is the very contrary of determination by nature."¹⁰¹ In this sense, Hegel proposes that the term natural law "be replaced with the designation philosophical doctrine of right."¹⁰² Hegelian philosophy attends to the "Idea" of what is under examination—the concept joined with its realization. A "philosophical doctrine of right," therefore, is intelligible only within the framework of developed social and political institutions.¹⁰³ An examination of the Idea of right is perforce *exeundum esse e statu naturae*.¹⁰⁴

At the same time, however, Hegel also explicitly situates political thought within the natural law tradition. Not only does he champion the liberal doctrine of universal and inalienable individual rights, he specifically adopts the traditional terminology in characterizing his own position. If, on occasion, he entitles the *Philosophy of Right* a "Theory of Objective Spirit," he elsewhere calls it a doctrine of "Natural Law and Political Science" (*Naturrecht und Staatswissenschaft*).¹⁰⁵ Nor could it be otherwise. A critique that purports to combat natural right theorists on their own turf cannot simply champion the concept of community or even a communitarian conception of rights; it must demonstrate that ethical life is the precondition for natural right itself. An immanent critique of tradition of modern natural right must operate within the ambit of the tradition itself. Thus, employing the dialectic of true and spurious being central to his principle of self-contradiction, Hegel criticizes the natural law doctrine because its liberal formulation conflicts not with an alien standard but with its true self or "nature." An analysis of rights in terms of their intrinsic concept focuses not on man's natural and immediate existence but on his true essence, what Hegel calls "*die Natur der Sache*."¹⁰⁶ For Hegel, man's nature as citizen is defined by a concept of autonomous personality that is realized only in developed political and cultural community.¹⁰⁷ Consequently, a defense of natural rights is likewise a defense of the principle of ethical community, just as a repudiation of the liberal approach to natural right is a realization of the concept of natural law. It is no coincidence that Hegel describes his political thought as a theory of "Natural Law *and* Positive Political Science," for the concept of natural law is meaningless without an account of established political institutions. Hegel champions a theory of objective spirit over that of natural right, not because he opposes the principle of natural right, but because that principle finds expression only in a system of ethical life.

It is clear, then, that though Hegel anticipates Marx in championing the claims of community over that "system of egoism" implicit in the liberal account of individual rights, he does not accept Marx's radical repudiation of the concept of right itself. Instead, Hegel argues that the liberal doctrine contravenes its own principles. In line with his account of genuine immanent

critique, Hegel construes appeal to community not as an "abstract negation" of the legal person, but its concrete realization.

Marx, naturally, would find this unacceptable. By incorporating components of the modern tradition into his account of ethical life, Hegel, in Marx's view, renders genuine community inconceivable. Hegel's concept of right, resting on the institution of private property and requiring juridical authorities that regulate social relations, perpetuates the oppositions that an account of ethical life should surmount. Mention has already been made of the problematic nature of this criticism. For Hegel, differentiation is essential to the experience of individuals and communities. "Bifurcation is a necessary factor in life."¹⁰⁸ But, leaving aside Hegel's thesis, it is important to recognize the problems in Marx's position. Implicit in his critique of Hegel is a vision of social life at variance with his own goals and strictures. With Hegel, Marx recognizes that a meaningful conception of immanent critique must have a transcendent dimension. Marx understands that critique cannot focus just on acknowledged standard of reason but those pertaining to the true nature of the thing itself. Yet whereas, for Hegel, appeal to an absolute standard is coextensive with an immanent assessment of a given condition in terms of an intrinsic essence, Marx breaches the parameters of immanent critique altogether. Because he relies on a conception of contradiction based not on the opposition between a thing and its true essence but on the wholesale falsity of the real, Marx must define transcendence as a radical repudiation of the given. He does not dialectically radicalize the modern natural right tradition; he rejects it altogether. Marx asserts "these petrified conditions must be made to dance by singing to them their own melody."¹⁰⁹ In actuality, however, meaningful criticism impels him to sing a different tune. Marx once said that his critical tool of choice "is not a scalpel but a weapon,"¹¹⁰ and this is revealing because, in fact, critique in his view aims not at the surgical salvaging of what is still healthy but at demolition with the sweeping sword.¹¹¹

VIII

The difficulties in Marx's conception of immanent criticism can be traced to his "materialist" transformation of the principles of Hegelian dialectic. Marx's problem stems from his effort to incorporate into a framework based on the *heterogeneity* of thought and being a model of critical analysis that is meaningful only if one presupposes, as does his adequation of existence and concept, a *homogeneity* of reason and reality. In a framework based on the priority of being to thought, elevation of reason to its own concept cannot be deemed coeval with an effort to relate the real to the concept of rationality *per se*. These two aims can be meaningfully conjoined only if one presupposes the type of framework typified by Hegel's idealism, where the actualization of the real is simultaneously a liberation process

through which the real is construed as an expression of reason itself. In a materialist framework, actualization of a potential implicit in the real remains restricted to what is initially given, whereas any radical challenge to existing reality calls on principles that wholly transcend the domain of immanence.¹¹² It is no coincidence that Marx and his philosophical progeny oscillate between neo-Aristotelianism and neo-Fichteanism.¹¹³ Given the dichotomy between thought and being, criticism is conceivable either as actualization of a potential implicit in a given substance or the wholesale negation by an external subject.¹¹⁴

In light of such considerations, one might conclude that Marx remains overly dependent on Hegelian thought. While rejecting a speculative ontology that nullifies extra-conceptual reality, Marx still adheres to a conception of critical rationality based on idealistic premises, namely, the coimplication of reason and reality.¹¹⁵ Marx's critique of Hegelian metaphysics does not extend to the dialectic of concept and existence. On this view, the aims of Marxian social criticism are best served when Marx's thought is further pruned of its Hegelian ancestry. A "Marxian" account of an emphatically normative notion of immanent critique may well mandate rejection of the tools of dialectical logic.

In recent years, Jürgen Habermas has reworked the project of critical social theory along these lines.¹¹⁶ Criticizing Marx for remaining "dependent on Hegelian *Logic*,"¹¹⁷ Habermas advances a conception of social criticism focused less on a "dialectical" opposition between reality and its intrinsic principles, than on the conflict between two distinct principles of social rationality, the functional and the communicative. While both principles are basic conditions of societal self-reproduction, they obey different logics. Functional rationality denotes the economic, administrative, and, generally, instrumental considerations that govern the material reproduction of social life. By contrast, communicative rationality designates the intersubjectively regulated processes of cultural transmission, social integration, and socialization that govern symbolic reproduction. For Habermas, the distinction between functional and communicative rationality corresponds to that between *system* and *lifeworld*—a view of society regulated by the respective imperatives of goal-directed action and action oriented to mutual understanding.

Employing this "two-tiered concept of society,"¹¹⁸ Habermas proposes a conception of social criticism based not on confronting an existing state of affairs with its inherent principle of reason, but in challenging the excesses of one aspect of societal reproduction with a concept of reason that expresses the requirements of the second aspect. In particular, Habermasian social criticism assumes the form of a "critique of functional reason" that defends the imperatives of a communicatively structured lifeworld against their subordination to, or "colonization" by, the systemic imperatives of material reproduction. For present purposes, this dyadic approach apparently enables Habermas to formulate a concept of social criticism that avoids the pitfalls

of Marx's account of a transcendent approach to immanent critique. By shifting the focus of criticism away from internal self-contradictions and to "border conflicts" between system and lifeworld,¹¹⁹ Habermas appears able both to challenge radically given conditions without repudiating norms of existing reality and to accept existing standards without precluding appeal to an independent principle of reason.

It is questionable, however, whether a dyadic approach—Habermas's or any other—does justice to the requirements of an account of normative theory committed to the principle of immanent critique. Immanent critique evaluates reality in terms of intrinsic principles of rationality. This requirement is not met in a framework that seeks only to balance two contrasting principles of rationality.¹²⁰ Habermas is certainly no utopian, as he confronts a dogmatic form of life with historically existing criteria. For Hegel and Marx, however, authentic immanent critique relies not on historically existing standards but on those indigenous to the subject matter itself. In Hegel's words, immanent critique does not confront a given negativity with any existent positive; it addresses "opposites in their unity or . . . the positive in the negative."¹²¹ Anything but a dialectical approach is counter to the aims of a model whose force derives from confronting adversaries on their own turf.

Such considerations necessitate a different analysis of and response to the problems in Marx's notion of social criticism. Given the difficulties in a "non-dialectical" reconstruction, the problems endemic to Marx's position may well be attributed not to an excessive but an inadequate reliance on the Hegelian legacy.¹²² Marx formulates a dialectical approach to social criticism while repudiating the logical-speculative framework within which alone Hegel maintained dialectical analysis is viable. Likewise, a resolution to the aporias in Marx's project may require not less but more receptivity to the basic principles of Hegel's logical theory.¹²³ Especially for a normative theory charting a course between immanent and transcendent forms of evaluation, Hegel's dialectical logic may well provide the tools needed to extract a rational kernel from the aporetic shell of Marx's social theory.

IX

In this chapter, I have examined the debate between Hegel and Marx concerning the nature of a normative account of reality. I have argued, contrary to Marx's assertion, that the principles of Hegel's speculative logic are not alien to the concept of immanent critique that Marx claims is implicit in a dialectical account of the coimplication of reason and reality. In addition, I have maintained that Hegel's position more adequately accommodates the conception of normative evaluation Marx sought to explicate in superseding Hegel. But I have also argued that, whatever their differences, Hegel and Marx share a profound appreciation of the nature of a historically

situated method of social criticism. As against contemporary assertions of contextual over against transcendent accounts of social criticism, Marx and Hegel understand that a universalist approach, far from undermining contextual social theory, is actually its precondition. Both recognize that any truly historical account of social evaluation requires appeal to more than merely historical standards. For both, “connected” social criticism rests on “disconnected” forms of normative analysis.¹²⁴ It is this effort to develop a dialectical account of the relationships of universalism and contextualism, norms and history, and immanent and transcendent considerations that constitutes the dialectical legacy of a normative science of reality. In view of the dichotomies that afflict contemporary ethical theory, this legacy remains rich even in its conflicts and can still be mined with profit.

3 Hegel, Adorno, and the Concept of Transcendent Critique

As argued in the Chapter 2, Marx criticizes Hegel's account of the identity of reason and reality because it fosters an uncritical and apologetic stance toward the status quo. Unlike many critics, however, Marx does not regard the identity principle as *itself* the basis for Hegel's so-called attitude of accommodation.¹ Rather, he finds in it germinal expression of the concept of *immanent critique* central to his own account of normative theory.² Hegel's principle of the homogeneity of reason and reality furnishes the parameters for a method of social criticism that confronts the real, not with alien or external principles of rationality, but those indigenous to reality itself.

What Marx does find objectionable in Hegel's identity principle is not the principle itself but its dogmatic formulation. According to Marx, Hegel subordinates the conjunction of reason and reality to the requirements of a system that twists what is critical into a metaphysical benediction of the real. Hegel does not focus on the discrepancy between reality and its own norms. He presents his theory as part of a generative idealism in which existing conditions are construed as products of hypostatized categories possessing *a priori* status. Thus, in criticizing Hegel, Marx directs his animus less at the identity principle than its specific construction. In accord with his professed intention to extract a rational kernel from the mystical shell of Hegelian speculation, Marx attacks the metaphysical apparatus that leads Hegel to conceive the dialectic of reason and reality as a tool for speculative rationalization rather than immanent criticism. Indeed, Marx's own *Realwissenschaft* can be viewed as a sustained effort to construct the normative science of reality Hegel should have developed but did not.

Marx's effort to separate the wheat from the chaff of Hegelian speculation has decisively influenced the way subsequent thinkers in the Marxist tradition have defined their relation to Hegel. But not all such individuals have embraced Marx's specific approach to Hegel's concept of the relationship of reason and reality. One not to have done so is Theodor Adorno, arguably the most profound student of Hegelian thought in the tradition of critical social theory. Adorno's approach to Hegel's theory differs from Marx's in two important respects. First, he disputes Marx's

interpretation of Hegel's position. In Adorno's view, Hegel's conjunction of reason and reality is not part of an autarchic process where entities are magically *generated* from concepts. Rather, it designates a transformative operation in which existence reality is *reconstructed* from the standpoint of reason.³ Hegel's entire philosophy, Adorno writes, is "an effort to translate . . . experience into concepts."⁴ Indeed, far from imputing to Hegel a pantheistic mysticism, Adorno perceives in the identity principle elements of the method of immanent critique he claims is central to Hegel's dialectic generally.⁵ Hegel here does not "oppose phenomena with a position or 'model' external and alien to it,"⁶ he confronts "a specific reality with its own concept."⁷ Motivated by an effort "to comprehend objects from inside-out," Hegel seeks "to bring experiences to *their* necessity and cogency."⁸

Second, Adorno differs from Marx in his *critique* of Hegel's position. While he follows Marx in criticizing Hegel's equation of reason and reality, Adorno does not focus on a mystical carapace that constricts proper development of an immanent approach to social criticism. Instead, he directs his challenge to the principle of immanent critique itself. In his view, an immanent concept of social criticism is not only untenable under contemporary conditions, it expresses and even ratifies the states of affair that should be the object of a genuine approach to social criticism. For Adorno, social criticism must appeal to a transcendent conception of the relationship of reason and reality, one that contraposes independent norms to existing conditions. It is this disjunctive, non-identitarian account of the relationship of concept and existence that reflects the nature of a truly *negative* dialectics.

In what follows, I examine Adorno's reception of Hegel's identity principle. The discussion is divided into two main parts. First, I set forth Adorno's criticism of a notion of critique based on an immanent account of the relationship of reason and reality. In this context, I explicate the concept of transcendent critique he advances in opposition. I focus particularly on how Adorno espouses (1) a transcendent concept of critique despite his use of the tools of immanence, (2) a non-identitarian view of the relation of reason and reality despite his acceptance of a theory of identity, and (3) a dualistic account of concept and existence despite his dialectical approach to negativity.⁹ Second, I question Adorno's reception of Hegel's position. I argue that while Adorno rightly appreciates Hegel's account of the relation of reason and reality as a theory of normative reconstruction, he errs in interpreting it as a species of immanent critique. Correctly understood, Hegel's theory is infused with attention to the same transcendent considerations that informs Adorno's account: Hegel also measures the real not with its own concept but with a concept of rationality emphatically juxtaposed to the real. I do not deny that Hegel's view of the relation of concept and existence rests as well on the immanent considerations Adorno deems unacceptable. I argue only that in Hegel's "dialectical" account, the logic

of immanence, far from being inimical to transcendent critique, is actually its precondition.

The broader aim of this chapter is to further clarify Hegel's notion of normative theory and its distinctive rejection of any abstract opposition of transcendent and immanent considerations. In addition, I seek to clarify Hegel's relation to a theorist whose thought is said to represent "the articulation of what it is to be a Hegelian *after* Hegel."¹⁰ While I do not directly address this characterization of Adorno's project, I do maintain that features of Adorno's post-Hegelian Hegelianism, if that's what it may be called, are not only already developed by Hegel himself but are done so in ways that are arguably more effective than in Adorno's transformation.

I

1. Let us begin by recalling Adorno's account of immanent critique. Immanent critique presumes that existing reality contains reference to normative ideals that can serve as a meaningful basis to assess reality's rationality. Its task is to confront existing reality with those ideals.¹¹ Central to this program, Adorno contends, is the critique of ideology. *Ideologiekritik* challenges cultural formations that distort existing social realities. Yet ideologies are not thereby regarded as entirely false. Because they distort reality by legitimizing or rationalizing existing irrationalities, ideologies make claims to truth and rationality; they acknowledge that reality should conform to normative ideals even if it in fact does not.¹² Ideologies are illusory not as such but only relative to a dogmatic form of life. Thus, while the critique of ideology unmasks the illusory character of cultural formations, it does not dismiss the latter altogether. In accord with the general project of immanent critique, *Ideologiekritik* merely exposes the discrepancy between reality and its stated ideals.

[Immanent critique] takes seriously the principle that it is not ideology in itself which is untrue but rather its pretension to correspond to reality. Immanent criticism of intellectual and artistic phenomena seeks to grasp . . . the contradiction between their objective idea and that pretention.¹³

According to Adorno, however, neither immanent criticism generally nor critique of ideology in particular is viable in existing societies. What characterizes the "rationality" of existing reality is precisely its complete and total irrationality. Referring chiefly to the bureaucratic socialism of Eastern bloc countries and the state capitalism of Western democracies, Adorno maintains that contemporary social arrangements are the consummate expression of an instrumental rationality implicit in the structure of Western reason. Proper to instrumental rationality is its subordination of all

spheres of life to the dominion of a "logic of identity" that suppresses differences and prevents both individual autonomy and meaningful sociation. In the "totally administered" societies of East and West, this "irrational" rationality so ubiquitously grips existing reality that the norms of society are infused with the very irrationality that the social critic would question. Under these conditions, society can no longer be meaningfully criticized using the tools of immanent critique. Efforts to expose reality's failure to conform to its ideal or concept become pointless when the concept itself is a lie. "The limit of immanent critique is that the law of the immanent context is ultimately one with the delusion that has to be overcome."¹⁴

In illustrating his thesis, Adorno refers to Nazism, where the attempt to eliminate all that is "non-identical" crystallized the totalitarian tendencies implicit in the concept of Western reason.¹⁵ Discussing the concentration camps, Adorno observes that such horrors "make a mockery of the construction of immanence as endowed with a meaning radiated by an affirmatively posited transcendence."¹⁶ In the face of these realities, it is cynical to adhere to a notion of criticism that simply confronts the real with its own immanent standards of rationality.¹⁷ Totalitarian brutality has eliminated the difference between ideology and a corrupt reality. It now shows that "[t]here is no crevice in the cliff of the established order into which the critic might hook a fingernail."¹⁸

Adorno's position, however, is not simply that immanent critique is no longer possible, but that it now has an apologetic function. Because the essence of reality is its irrationality, criticism of the real in terms of its own ideals amounts to a "duplication"¹⁹—or "groveling" ratification²⁰—of the irrationalities in question. Indeed, far from presenting immanent critique as a viable basis for criticism, Adorno asserts that it contributes to the irrationalities it purportedly exposes: it is "itself an ideology," constantly "in danger of acquiring a coercive character."²¹ As he also writes: "The notion of ideology has changed from an instrument of knowledge into a straightjacket."²² For one thing, the norms of existing reality, expressive as they are of instrumental rationality, are now sources of existing irrationalities. The problem with existing reality is not that it fails to conform to its own principle of rationality but that it conforms only too well. Any effort to eliminate lingering discrepancies between the real and its standards only tightens the grip of domination that genuine social criticism might pry open. Second, the very *structure* of a critique of ideology contributes to the societal irrationalities its proponents were once able to expose. Governed by the ideal of an adequation of reality and reason, immanent critique perpetuates the coercive logic of identity that should be criticized.²³

It is precisely the insatiable identity principle that perpetuates antagonism by suppressing contradiction. What tolerates nothing that is not like itself thwarts the reconciliation for which it mistakes itself. The violence of equality-mongering reproduces the contradiction it eliminates.²⁴

Adorno's vision is a bleak one. It gives little reason to assume that humanity might liberate itself from the yoke of total administrative control. But his vision is not one of utter despair. Even his most pessimistic writings contain a kernel of hope, a conviction that the "systematized horror" might be surmounted. Indeed, invoking Kant's thesis that experiences in the phenomenal-conditioned order have no bearing on the noumenal-unconditioned realm, Adorno argues that despair is in fact "unthinkable."²⁵ Despair might be warranted if one could envision an absolute identity of subject and object, a complete subordination of the real to the exigencies of instrumental rationality. But negative dialectics bars this possibility. In accord with his general thesis regarding the falsity of the whole, Adorno resists all efforts to characterize an existing totalitarian stranglehold as absolute or unconditioned.

[T]he disturbed and damaged course of the world is incommensurable . . . with the sense of its sheer senselessness and blindness; we cannot stringently construe it according to their principle. It resists all attempts of a desperate consciousness to posit despair as an absolute. . . . It lies in the definition of negative dialectics that it will not come to rest in itself, as if it were total. This is its form of hope.²⁶

Nor is hope merely a conceptual or "logical" possibility. In Adorno's view, it is a real possibility as well. Because the integration effectuated by instrumental rationality engenders a disintegration of subjective experience, that integration, carried further, can expose the falsity of the whole and thereby prefigure its possible overcoming:

The world is systematized horror, but therefore it is to do the world too much honor to think of it entirely as a system; for its unifying principle is division, and it reconciles by asserting unimpaired the irreconcilability of the general and the particular. Its essence is abomination; but its appearance, the lie by virtue of which it persists, is a stand-in for truth.²⁷

In the tension between forced unity and real discord, one discovers within the totalitarian edifice tendencies that "may well terminate in sudden awareness of the untruth of the spell, and eventually in its collapse."²⁸ This is the sense in which "[t]otality is to be convicted of being non-identical with itself."²⁹

Adorno's pessimism thus does not foreclose meaningful social change. It is also clear, however, that change cannot be conceived as it would be by a proponent of immanent social criticism. It cannot occur by actualizing norms already present in existing conditions, by removing fetters that prevent society from realizing its given potential. In a world defined by its wholesale irrationality, a rational society is attainable only in the wholesale negation of the real. When the seeds of a future *promesse de bonheur* are

absent from existing reality, redemption is only conceivable apocalyptically, not proleptically.³⁰ True, Adorno occasionally adopts a more immanent approach to social transformation. In comments about just exchange, for instance, he appears to embrace the view basic to Marx's critique of political economy: significant change results when bourgeois society conforms to the ideals of freedom and equality it purportedly honors but actually subverts.³¹ In fact, however, Adorno's position is the one appropriate to a *critique of instrumental reason*: change demands the complete rather than partial negation of existing reality. Only this does justice to his repudiation of the notion "that a plan for a better world is manifested in history and unites it,"³² only this is consistent with the conviction that "what would be different has not as yet begun,"³³ only this accords with the claim that negative dialectics seeks to "lead us beyond the domain of immanence" (*über die Immanenz hinauszuweisen*),³⁴ and only this is consonant with the view that, in a world subordinate to the logic of equivalence, justice is served by surpassing the ideology of exchange.³⁵ Not unlike Heidegger, Adorno adheres to a concept of transformation whose leitmotif is overcoming (*Überwindung*), not supersession (*Aufhebung*).³⁶

A similar point can be made concerning the concept of critique itself. Adorno's thesis regarding the wholesale irrationality of existing reality certainly does not lead him to a quietist renunciation of social criticism. It is clear, though, that social reality cannot be criticized by confronting it with its own implicit norms. In a world lacking even the vision of a fulfilled life, appeal must be made to transcendent or "extraterritorial"³⁷ standards of rationality—standards that fully surpass the domain of societal immanence. Where totality is characterized by its "absolute negativity," criticism becomes utopian in the literal sense: a positive vision of life is sustainable only as that which is absolutely alien (*ganz anderes*) to the entire historical order.³⁸ The core of Adorno's critical theory is messianic, not materialistic.

The only philosophy which can be responsibly practiced in the face of despair is the attempt to contemplate all things as they would present themselves from the standpoint of redemption. Knowledge has no light but that shed on the world by redemption. . . . Perspectives must be fashioned that displace and estrange the world, reveal it to be, with its faults and fissures as indigent and distorted as it will appear one day in the messianic light.³⁹

To be sure, Adorno repudiates abstract utopianism. His concept of "exact fantasy" is distinguished from fanciful musings because it focuses on the here and now. In a dialectical concept of negativity, the image of a redeemed life is kindled not in vain speculation but in attention to the flickers of rationality glowing in the faults and fissures of the real. Still, the idea of redemption for Adorno is not already implicit in existing arrangements.

His position is not that of Ernst Bloch, who saw prefigured in given disharmonies "ciphers" or "traces" (*Spuren*) of a redeemed humanity. When adverting to the flicker of a messianic light within the structure of empirical conditions, Adorno focuses on a light that *shines through* the faults and fissures of the existing domain, not one generated by that domain itself.⁴⁰ The messianic light for Adorno is not of this world. In a realm whose falsity lies precisely in the correspondence of reason to the real, "[g]ood would be nothing but what has escaped from ontology."⁴¹

Adorno's conception of the relationship of reason and reality can be clarified by comparing it with Hegel's so-called identity philosophy. Widespread assumptions notwithstanding, Adorno's critique of subsumptive rationality is no critique of identitarianism itself. Adorno is not a proto-deconstructionist bent on championing nonidentity, difference, and "the other of reason."⁴² His enduring allegiance to "the rational legacy of critical theory"⁴³ is evident precisely in a commitment to Hegel's account of truth. Though critical of the "traditional norm of adequacy,"⁴⁴ Adorno follows Hegel in defining truth as the equation of reality to concept, the *adaequatio rei ad intellectum*.⁴⁵

Reciprocal criticism of the universal and of the particular; identifying acts of judgment whether the concept does justice to what it covers, and whether the particular fulfills its concept—these constitute the medium of thinking about the nonidentity of particular and concept. . . . If mankind is to get rid of the coercion to which the form of identification really subjects it, it must attain identity with its concept at the same time.⁴⁶

In apparent contrast to Hegel, however, Adorno does not proffer an *immanent* concept of the identity of reason and reality. Adequation does not consist in the correspondence of the real to a historically given concept. Against this "empirical" or "positivistic" view, Adorno presents what he calls "rational identity" (*rationale Identität*).⁴⁷ Rational identity is distinguished from its positivistic counterparts because it appeals to standards of rationality that contrast radically with prevailing norms and practices. Adorno is concerned with the elevation of the real not to a given concept but to the concept of rationality per se. Consider his own example: mankind attains identity with its concept not through actualization of a given potential but through reconciliation with a potential that may lack any correlate in existing reality. Rational identity "feeds on the idea of a condition in which individuals would have qualities not ascribed to anyone here and now."⁴⁸ Only through this non-identitarian conception of identity may the aims of rationality be vindicated in a world characterized by the wholesale irrationality of the real. Only by appealing to a transcendent standard can the current degradation even be "identified."⁴⁹

2. The notion that Adorno repudiates immanent critique may seem dubious. Negative dialectics does appear to be a species of immanent critique. Not only does Adorno echo Marx's championing of scientific against utopian criticism: genuine critique focuses on "immediate reality," not "mere possibility."⁵⁰ He supplies a decidedly immanent characterization of his concept of critique: "dialectical theory is bound—like Marx's, largely—to be immanent even if in the end it negates the whole sphere in which it moves."⁵¹ As he also writes:

Dialectical thought is an attempt to break through the coercion of logic by its own means. . . . The existing cannot be overstepped except by means of a universal derived from the existing order itself.⁵²

Such assertions undoubtedly account for the fact that Adorno is often portrayed as a conventional proponent of immanent critique.⁵³ Yet while Adorno uses the tools of immanent critique, he does in a highly Pickwickian way: not because the real can be adequately criticized on its own standards, but because the objectives of transcendent critique are themselves only best realized when pursued immanently. In a world laboring under the yoke of identity, the image of a redeemed life cannot be directly identified. To do so would be to succumb to the objectifying tendencies that must be combated: "Anyone who would nail down transcendence can rightly be charged . . . with . . . a betrayal of transcendence" itself.⁵⁴ Under present conditions, the transcendent vision can be nurtured only *ex negativo*: "The utopian impulse in thinking is all the stronger the less it objectifies itself as utopia."⁵⁵ Adorno's commitment to immanent critique is coeval with a "transcendent" effort to burst "the closed context of immanence."⁵⁶

Adorno's thesis, however, is not simply that immanent critique is a means to gain access to the transcendent, but, *a fortiori*, that immanence itself has a transcendent dimension. In championing "immediate reality" over "mere possibility," Adorno is not reaffirming the anti-utopian contention that the real must be scrutinized in terms of its own potential. His point is precisely the opposite: the "merely possible," far from embodying utopian promise, obstructs its fulfillment. Indeed, it is an expression of the very assumptions that must be challenged. To examine the real in terms of abstract possibility is to examine it from the perspective of its potential for subjective control, and thus to reproduce the irrational rationality of immanent social reality. By contrast, "immediate reality," far from accentuating tendencies existing in the here and now, actually nurtures the utopian vision. In Adorno's thought, "immediate reality" refers not to the reality of existing conditions, but to the reality of "unregimented experience"⁵⁷—that which escapes the mediations of an objectifying logic. Adorno focuses on the reality not of societal immanence but a noumenal order that is "beyond the mechanism of identification,"⁵⁸ which "lies buried beneath the universal."⁵⁹ Whereas concern for the possible substantively

replicates the existing order of phenomenal reality, attention to immediate reality produces "a heightened perception of the thing-in-itself."⁶⁰ In a pithy statement of his transcendent concept of immanence, Adorno writes: "To want substance in cognition is to want utopia. . . . Utopia is blocked off by possibility, never by immediate reality."⁶¹

The point is basic to Adorno's theory of "the priority of the object" (*Vor-rang des Objekts*). For Adorno, the criteria employed in criticism are not "mere product[s] of subjective thinking,"⁶² they are rooted in a rationality inherent in the object itself. Specifically, negative dialectics focuses on the "identity of the object," the thing's identity with its true self or nature.⁶³ Yet this paean to concrete rationality is no paean to a logic of immanence. Where a logic of identity has alienated every object from itself, appeal to objective self-identity is perforce transcendence of the given. Where instrumental rationality has subordinated everything to the mediations of administrative control, attention to the real's immediate self-relation is ineluctably supersession of the domain of immanence. Adorno assigns special value to art, specifically the mimetic depiction of the realm of natural beauty—a harmonious realm reconciled or "identical" with itself. Because artistic mimesis focuses on what lies beyond human artifice, and because it does so nondiscursively, it invokes an idea of objective identity that, in a world defined by instrumental control and conceptual identification, has a necessarily utopian dimension.⁶⁴

Adorno's concept of the objective identity appears to derive from Hegelian thought.⁶⁵ As is evident from his concept of truth, Hegel also interprets identity objectively. Truth, for him, is not just the *adaequatio rei et intellectus* but self-adequation, the accordance of the thing with its essential nature. Moreover, like Adorno, Hegel adopts this objective self-identity to counteract the "mishandling" reality has suffered at the hands of the subjectivism of his day, Enlightenment *Reflexionsphilosophie*.⁶⁶ Nonetheless, Adorno contends, Hegel's position does not do justice to the priority of the object.⁶⁷ Committed to a *conceptual* realism,⁶⁸ Hegel attends to the rationality of the object only as it instantiates a general category. He focuses solely on the concreteness of the *universal*; he never addresses what is needed to challenge the subsuming proclivities of existing thought and culture: the objective concreteness that defies the universal—the concrete particular, the unmediated self-identity of the particular.⁶⁹ To be sure, Adorno allows, Hegel does not proceed *ab ovo*, generating reality from concepts.⁷⁰ The "empirical content" of Hegelian thought consists in the immanent self-development of the object itself (*Sache selbst*), the activity in which the particular establishes its own universality.⁷¹ Indeed, Adorno notes, philosophical comprehension for Hegel is itself the process of the real's self-comprehension, its elevation to its own concept.⁷² Still Hegel's respect for the *Sache* in no way questions the regnant subjectivism. Hegel defines an object lacking complete self-identity as a substance that has not yet attained total self-transparency. In so doing, Hegel treats the object not

for itself, but only in relation to a conceptual universal, and thus only with regard to its possible control. "Equating actuality and reason through the sum total of reason's mediations, Hegel hypostatizes the manipulation of every existent by subjectivity."⁷³

More generally, Adorno faults Hegel's concept of objective rationality because it remains tied to a logic of immanent critique. Hegel's notion of the rationality of the object is critical because it furnishes the means to distinguish genuine reality from its empirical manifestations. This is what differentiates Hegel's concept of identity from positivist conceptions, which simply classify the real.⁷⁴ Still, Hegel's idealistic proclivities prevent him from developing the notion of objective rationality in a way that could adequately criticize given reality. Committed to a "*cognitive* confrontation of concept and being,"⁷⁵ Hegel only evaluates given reality in terms of the "immanent" question of whether it is adequate to its acknowledged concept.⁷⁶ He does not ask whether given reality is itself rational. Given his subjectivist contention that being is simply "mind not yet come to itself,"⁷⁷ Hegel restricts the comparison of reality and its concept to the narrow question of whether an existing object has realized its given potential. He fails to ask whether the potential as it empirically exists is itself rational.

In an account of objective rationality that accentuates "the priority of the object," by contrast, reason is radically opposed to the given: existing reality, the real as rational for an alien subject, is confronted with what is wholly other, the real as rational for itself. In an *objective* confrontation, the concept—reality reconciled with its own essence—is contraposed to an existence antagonistic to itself.⁷⁸ "[A] contradiction in reality is a contradiction against reality."⁷⁹ By contrast, Hegel fully accepts the domain of immanence; he focuses merely on the tension between a given reality and a concept of rationality that is fully, if not explicitly, present in it. Indeed, in assuming that the real as given is at least implicitly rational, Hegel's thought is "more positivistic than the positivism that outlaws it."⁸⁰ This is Adorno's version of the Marxian thesis that Hegel not only remains uncritical of vis-à-vis existing reality but gives it metaphysical sanctification.

Adorno's point is easily missed because he, too, orients critical theory to real potential rather than abstract possibility. Negative dialectics "heeds a potential that waits in the object."⁸¹ Clearly, however, Adorno's concept of real possibility differs markedly from that espoused by proponents of immanent critique. For the latter, real possibility refers to a potential present in the object as it exists here and now. Adorno characterizes such possibility as one that "has become real."⁸² By contrast, real possibility in negative dialectics designates a potential not embodied in existing conditions. It focuses on the potential inherent in a rationally conceived object, and thus in an object subsisting beyond the domain of entities subordinate to the irrational exigencies of instrumental reason. Where all things exist in abstraction from themselves, concrete possibility connotes the radical transcendence

of the given. Adorno's "primary" real possibility is distinguished from the secondary real possibility in its appeal to "the qualitatively new."⁸³

II

In the foregoing, I sketched Adorno's concept of transcendent critique, the sole form of social criticism he claims is viable in a wholly irrational world. I demonstrated how he pursues transcendent critique despite his use of the tools of immanent critique. I focused particularly on his reception of Hegel's conjunction of reason and reality, specifically the concept of truth as the *adaequatio rei ad intellectum*. I argued that while adopting this definition, Adorno claims to do so in a way radically different than Hegel. In Adorno's "non-identitarian" account, critical theory confronts reality with utopian or "transcendent" standards, those without correlate in existing social conditions.

In what remains, I question Adorno's interpretation of Hegel. I argue that Hegel espouses a conception of normative theory that, like Adorno's, also rests on a transcendent-utopian understanding of the *adaequatio rei ad intellectum*. I do not dispute that Hegel is *also* committed to an immanent account of adequation. I do argue, however, that, for him, immanent critique is compatible with the aims of transcendent critique—indeed, that it provides the sole basis for a consequential conception of transcendent criticism.

1. Adorno's "immanent" interpretation of Hegel's adequation principle is understandable, for it follows from his construal of Hegel's account of the relationship of concept and existence advanced in the Doctrine of Essence, Book Two of the *Science of Logic*. In Hegel's thought, essence denotes the mutual implication and underlying identity of seeming opposites. Thus, an account of *adaequatio* that employs the categories of essence focuses on the discrepancy between a thing and its already existent nature or potential. As Adorno himself notes, it is his Doctrine of Essence that impels Hegel to postulate "that Being is mind that has not yet come to itself."⁸⁴

Attention to the concept of essence is indispensable to any definitive account of Hegel's theory of contradiction, a point often noted by students of the relationship of Hegel's work *Logic* and Marx's work *Capital*.⁸⁵ Nonetheless, it would be wrong to construe Hegel's understanding of the tension between concept and existence exclusively in terms of the Doctrine of Essence. This would ignore the other categorial tools Hegel employs in describing the opposition between reason and reality—those of the Doctrine of Being, Book One of the *Science of Logic*. Characteristic of Being is not the identity of seeming contraries but their complete and insuperable opposition, what Hegel calls their mutual indifference (*Gleichgültigkeit*). Here the real is not partially true but wholly false: existence denotes that which lacks even implicit claim to rationality.⁸⁶ Thus, when criticizing the

real using the categories of the Doctrine of Being, Hegel's concern is not to actualize a given potential but to surpass the given itself. His critical focus is indeed transcendent, not immanent.⁸⁷ The point can be illustrated through a category central to the Doctrine of Being, finitude.⁸⁸ Consideration of the category of finitude is here apposite, for Hegel subsumes under it his entire theory of social, political, and historical reality (the philosophy of "objective spirit").⁸⁹

For Hegel, finite entities are conditioned entities, and therefore characterized by a certain deficiency. But their deficiency is not just that they are circumscribed or limited by other entities; they are intrinsically deficient. "When we say of things that *they are finite*, we understand thereby that they are not merely limited . . . but that, on the contrary, non-being (*Nichtsein*) constitutes their nature and being."⁹⁰ Typified above all by mutability, finite things are destined to become other than themselves; they are *a limine* fated to die: "Finite things (*endliche Dinge*) are, but the truth of this being is their *end* (*Ende*). The finite not only changes (*übergeht*), like something in general, but it *ceases to be* (*vergeht*)."⁹¹ Finite things are inadequate not because their phenomenal manifestation conflicts with their essential nature and not because their given reality contradicts their true being. Against this "essentialist" reading of finite deficiency, Hegel invokes the categories of Being: a finite entity is as such false; its true being is its non-being (*Nichtigkeit*).

[I]ts ceasing to be is not merely a possibility, so that it could be without ceasing to be, but the being as such of finite things is to have the germ of demise (*Vergehen*) as their being-within-self: the hour of their birth is the hour of their death. . . . The thought of the finitude of things brings this sadness with it because . . . there is no longer left to things an affirmative being *distinct* from their destiny to perish.⁹²

Hence, Hegel argues, a critical appraisal of the finite cannot merely confront the real with its indigenous concept. This is not possible given that the falsity of finite entities lies not in an inadequate realization of their essential principle but in the principle itself. Mutable entities embody categories that themselves cannot hold truth.⁹³ The deficiency of finite things lies not in a failure to conform to their concept but in that they conform only too well. "There are indeed things which correspond to this relation [identity of concept and existence], but they are also for that very reason merely lowly and untrue existences."⁹⁴ In realizing their concept, finite things "meet their doom" (*zu Gericht gehen*).⁹⁵ They "correspond to what they ought to be only through their negation."⁹⁶

In this respect, Hegel opposes romantic efforts to invoke the concept of kind (*Art*) or species (*Gattung*) in normative analysis. Because the concepts of natural kind or species-being merely generalize the "truth" of finite entities, they are afflicted with the latter's same limitations:

[when thought] entrenches itself in sentimentality, which assures us that it finds everything to be *good in its kind* (*Art, Gattung*), then this assurance likewise suffers violence at the hands of Reason, for, precisely in so far as something is merely a kind, Reason finds it *not* to be good.⁹⁷

Indeed, elevation of a finite entity to its generic essence only highlights its inadequacy, because, for Hegel, a finite entity fully realizes its “substantive universal” only in its demise.⁹⁸ In the realm of finitude, individual self-realization is “the abstract negation of the individual, *death*.”⁹⁹

Hegel is not arguing that a positive concept of truth as adequation or correspondence is inapplicable to the domain of finite reality. On the contrary, the falsity of the finite, for him, becomes comprehensible only in comparing concept and existence.¹⁰⁰ However, correspondence here is not correspondence of the real to *its own* concept. The wholesale falsity of finite reality makes appeal to an independent concept necessary—the correspondence of the real to the concept of rationality per se. Truth consists not in actualizing the “form” of a given content, but in referring an empirical unity of form and content to the “right form.”¹⁰¹ Its province is the real’s correspondence to the “pure” rather than “determinate” concept, not the “finite” concept of a given natural or historical entity but the “infinite” or “absolute” concept of reason itself.¹⁰² Michael Theunissen made the point in commenting on Hegel’s theory of human self-realization: “man must not only correspond to *his* concept; he must correspond to *the* concept. He should attain reality not only for his humanness; he should realize reason itself.”¹⁰³ Only in the move beyond the finite (“*Hinausgehen über das Endliche*”) can existence and concept be adequately conjoined.¹⁰⁴ It is no accident that Hegel construes adequation not as realization (*Verwirklichung*) or fulfillment (*Erfüllung*), but as transcendence (*Übergreifen*) or transfiguration (*Verklärung*).¹⁰⁵ Only in this disjunctive or non-identitarian view of the relationship of reason and reality can truth be vindicated in the face of the “*Negiertseins des Endlichen*.”¹⁰⁶

Here it is not possible here to do justice to Hegel’s theory of truth. Nonetheless, these general remarks should make clear that his position is closer to Adorno’s than the latter assumes. Like Adorno, Hegel holds that the real may lack all reference to what is rational. Like Adorno, Hegel acknowledges that elevation of existence to its concept can extend rather than reduce irrationality. Like Adorno, Hegel finds that a correspondence of concept and existence is of little value if one fails to attend to the concept as such. Like Adorno, Hegel bases his understanding of adequation on a disjunctive view of the relation of concept and existence: the elevation of the real not to its own standard but to a standard that escapes the domain of existing reality. Where Adorno speaks of the need to transcend the domain of immanence (“*über die Immanenz hinauszuweisen*”), Hegel insists on surpassing the finite (“*Hinausgehen über das Endliche*”). Finally, because Hegel maintains that only *the* concept is truly concrete, his notion of transcendent critique is also based on the “priority of the object.”¹⁰⁷

Hegel's kinship to Adorno is not merely structural. His adoption of a concept of truth based on a disjunctive view of the relationship of reason and existing reality is triggered by substantive considerations similar to those that define the project of negative dialectics: like Adorno, Hegel came to have doubts about the value of modern reason. This is evident in his move in 1800 to systematic philosophy. Prior to 1800, Hegel assumed that the aims of normative theory—the project of unifying reason and reality—could be pursued through the critique and further development of the concept of rationality already manifest in existing conditions. Such convictions infuse the hope he invested in the natural right tradition, Rousseau's *religion civile*, and the French revolutionaries' efforts to realize reason in the world. They also inform his early ethical writings, which assume that reason could be realized simply by extending or “applying” Kant's postulates of practical reason.¹⁰⁸

But after 1800, skepticism came to mark Hegel's thoughts. Disenchantment with the outcome of the French Revolution and growing comprehension of the ill effects of modernization made him increasingly reluctant to rely on existing rationality as a basis for normative theory.¹⁰⁹ Indeed, as is evident from the 1801 work *Differenzschrift* and the 1802 work *Faith and Knowledge*, Hegel concluded that the modern, Enlightenment concept of reason—“intellect” or “understanding” (*Verstand*)—was itself the source of societal irrationality. Because Enlightenment rationality, specifically modern subjectivism, is predicated on the systematic bifurcation of subject and object, reason and reality, thought and being, form and content, individual and community, it itself came to be seen as the cause of the forms of alienation requiring supersession.¹¹⁰ Modern reason had, for Hegel, become a version of the myth it endeavored to combat; philosophy a form of the positivism it sought to defuse. “Civilization has raised this latest era so far above the ancient antithesis of reason and faith, of philosophy and positive religion, that this opposition of faith and knowledge has acquired quite a different sense and has now been transferred into the field of philosophy itself.”¹¹¹

Thus, while never abandoning the project of reconciling reason and reality, Hegel became convinced that it could not be pursued merely by actualizing the received concept of reason (*Verstand*). Although it was still to be judged from the standpoint of reason, reason now designated not existing rationality but the absolute and “independent”¹¹² concept basic to Hegel's alternate notion of *Vernunft*. The “ideals of youth,” Hegel wrote in his famous 1800 letter to Schelling, are now sustainable only in reflective form, only when reconstituted as a rational System.¹¹³ Only in the systematic reconstruction of the real from the standpoint of a wholly self-grounding conception of reason could one remain committed to the unity of reason and reality when reality itself had become unfaithful to that ideal. Indeed, only a system able to supply its own content could champion the rationality of the real in the face of an irrational reality. Herbert Marcuse once described Hegelian philosophy as “idealism by default.”¹¹⁴ This description

is apt, for it is precisely his disappointment with existing categories that drove Hegel from “applied” philosophy to those “deeper depths” (*tieferen Tiefe*)¹¹⁵ of speculation, where alone hope for the desired reconciliation was presumed to reside.

Here, too, Hegel’s position is closer to Adorno’s than Adorno allows. Not only does Hegel assert that the claims of truth are vindicated only when the real is confronted, not with its own concept, but with a “transcendent,” “absolute,” or “extraterritorial” concept of reason. He does so because, in his view as well, modern subjectivism had deprived existing reality of the rationality needed for critique to retain an immanent dimension. In both respects, Hegel might well accept Adorno’s claim that philosophy’s task “in the face of despair is to attempt to contemplate all things as they would present themselves from the standpoint of redemption.”¹¹⁶

2. Having examined the similarities between the two positions, I now turn to the essential difference: For Hegel, transcendence is not juxtaposed to the domain of immanence but is itself possible only through that domain. Appeal to a transcendent standpoint is coupled with an effort to surpass the existing state of affairs, to pass beyond (*hinausgehen*) the falsity of existing conditions. This is impossible when reason is abstractly juxtaposed to existing reality. So conceived, the transcendent remains dependent on—and thus affirmatively related to—the domain it seeks to negate. Having no substance except that redounding to it in its denial of existing reality, transcendent critique, as Hegel demonstrated in his discussion of real and spurious infinities,¹¹⁷ assumes the form of an “abstract negation” that presupposes and thus implicitly sanctions the very reality it questions.¹¹⁸ It is all well and good to maintain that “*Das Unwahre ist die Ganze*,”¹¹⁹ but this insight founders without a simultaneous recognition of the truth of the Hegelian maxim: “*Das Unwahre ist das Unerreichbare*” (the untrue is the unattainable).¹²⁰ When presented as the wholesale repudiation of existing reality, when, as Adorno writes, “the concept of the intelligible realm would be the concept of something which is not,”¹²¹ truth remains bound to the positivity it purports to negate.

To avoid the “spurious infinite” of a merely negative dialectic,¹²² a different strategy is required. If transcendence is to be authentic, if it is to represent a supersession of *this* reality, it cannot simply surpass a false state of affairs. It becomes a determinate rather than abstract negation only in incorporating the “truth” of the dogmatic form of life in its own categorical framework. If the act of transcendence is not to be a backhand reaffirmation of the reality in question, if it is not to remain defined by what it negates, if it is not to remain “impotent” against the latter, it must develop by way of the immanent sphere it seeks to surpass. Only a concept of transcendence that “contains the negative in itself, the contradiction in itself”¹²³ signifies genuine transcendence—not the mere denial of the real but a *movement beyond* it. Only by abiding “in the extreme of its absolute negativity” does mind confront the “turning point” through which alone the “infinite positivity” can be grasped.¹²⁴

The point can be illustrated by considering Adorno and Hegel's respective conceptions of the relationship of life and death—a relationship that plays a central role in their understandings of the relation of immanent and transcendent critique. In Adorno's account, life and death are polar, even Manichaeic, opposites. Equating death with an identitarian thinking¹²⁵ that has become absolute (he has in mind the “genocide” that came with the “absolute integration of Nazism”¹²⁶), Adorno denies any meaningful connection between the realm of life and the realm of death. In explicit repudiation of the classical view of life as an *artes moriendi*, he writes: “There is no chance any more for death to come into the individual empirical life as somehow conformable with the cause of that life.”¹²⁷ Thus, the interests of life are, for Adorno, defensible only in their radical juxtaposition to the moribund character of this world—only if life's “incommensurable disparity with death” is accentuated.¹²⁸ When the essence of existing reality lies in its “absolute negativity,” in “terror without end,”¹²⁹ life and all that is affirmative can only be “that which has escaped ontology.”¹³⁰

From a Hegelian point of view, this solution is unsatisfactory. Abstractly juxtaposed to death, life does not transcend the latter; it remains in its grip. This is so not just because redeemed life, likened by Adorno to the “fulfilled utopia [of] perpetual peace,”¹³¹ remains a mere object of hope, which leaves the real untouched. It is chiefly so because the appeal to life, presented as an abstract negation of existing reality, lacks positive content of its own, and thus presupposes the deadly reality it seeks to overcome. In rooting new life in the mere negation of physical suffering,¹³² the abolition of concentration camps,¹³³ a “categorical imperative” enjoining the repetition of Auschwitz,¹³⁴ Adorno reveals himself to be fixated on these events, and thus unable to proffer a vision of the future not crippled by the horrors he would surmount. For instance, in defining peace as “the state of distinctness without domination,”¹³⁵ Adorno remains committed to the assumption, basic to the reality he seeks to surpass, that a rational, noncoercive conception of political power is unintelligible.

For his part, Hegel adopts a more “dialectical” view of the relationship of life and death. The interests of life are championed not by fleeing from death but by “abiding” in it. Death—the loss of “organic” unity resulting from modern dualisms or bifurcations (*Entzweiungen*)—can be mastered only by developing a concept of life that does not abstractly oppose the former but that contains the negative in itself. Only in this way can the move from death to life be understood as a move to a higher principle, one no longer dependent on the former.

[T]he life of Spirit is not the life that shrinks from death and keeps itself untouched by devastation, but rather the life that endures it and maintains itself in it. It wins this power, not as something positive, which closes its eyes to the negative, as when we say of something that it is nothing or is false, and then, having done with it, turns away and

passes on to something else; on the contrary, Spirit is this power only by looking the negative in the face, and tarrying with it.¹³⁶

The matter can be illustrated by considering Hegel's treatment of bifurcation as expressed in the modern concept of right. Like Adorno, Hegel criticizes this concept, identifying it with the egoism, privatism, and political atomism he finds destructive in the bourgeois concept of freedom.¹³⁷ And like Adorno, Hegel formulates a concept of freedom that, focused on the "organic" idea of ethical life, eschews the mechanics of a concept of right based on formal equivalence. It is telling, however, that Hegel does not follow Adorno in jettisoning the concept of right itself—for Adorno, the "primal phenomenon of irrational rationality."¹³⁸ Instead, his speculative *Philosophy of Right* develops an alternate conception of right, one that not only does not dismiss modern dichotomies but incorporates them into a more comprehensive definition—one where differentiation is not at odds with but essential to a more holistic conception of self-determination. To be sure, Hegel's receptivity to the modern concept of right derives in part from the fact that, like Adorno's student Jürgen Habermas, he maintains that differentiation is essential to fully autonomous ego-identity. Bifurcation, in his view, is a necessary factor in life.¹³⁹ But his more receptive approach to the negativity of the modern conception also stems from his conviction that a meaningful supersession of the bourgeois concept presupposes its further development, not its abstract negation. Only through a systematic reconstruction of received assumptions can Hegel effectuate the "far-reaching revolution" (*weitläufigen Umwälzung*) he programmatically announces in his system's introduction, the Preface to the *Phenomenology of Spirit*.¹⁴⁰

To be sure, it is one thing to argue for a dialectical relationship of positive and negative, life and death, when focusing on problems arising from the liberal political tradition. It is another and more difficult task when one's attention is turned, as is Adorno's, to Auschwitz and Hiroshima. Faced with these events, one is naturally inclined to contrapose the interests of life to those of death. One is disposed to accept Adorno's conviction that "[a]fter Auschwitz, our feelings balk at squeezing any kind of sense, however bleached, out of the victims' fate."¹⁴¹ Even here, however, Hegel would likely insist on a more dialectical understanding of the relationship of truth and falsity. Even here he would likely argue that the interests of life can be sustained only by focusing on the meaning that lies in death and devastation. Robert Jay Lifton has given expression to a contemporary version of the Hegelian argument:

The problem, then, is not only calling forth end-of-the-world imagery, but in some degree mastering it, giving it a place in our aesthetic and moral imagination. . . . In blocking our imaginations we impair our capacity to create new forms we so desperately require. We need Hiroshima and Auschwitz, as we need Vietnam and our everyday lives, in

all their horror, to deepen and free the imagination for the leaps it must make. . . . The vision of death gives life. The vision of total annihilation makes it possible to imagine living under and beyond that curse.¹⁴²

In accord with the basic Hegelian position, Lifton recognizes that one surmounts the horrors only by developing a framework that accommodates their reality, only in a painstaking search for the rose in the thorny cross of the present.¹⁴³

3. I have been arguing that for Hegel the idea of transcendent critique is viable only if it takes the form of a determinate rather than abstract negation, only if it incorporates what it seeks to surpass. A mere juxtaposition of reason to reality is of little value, for here reason remains dependent on, and thus supportive of, the reality it seeks to overcome. To do it full justice, however, it is important to recognize that Hegel's conception of transcendence is not just a theoretical construct. He is not merely developing a *concept* of transcendence that accommodates the negativity that is to be overcome. Were this the case, Hegel would confront the real with an external principle, and thereby replicate the opposition between transcendence and immanence an authentic, non-spurious theory of transcendence is pledged to overcome. In a proper account, Hegel argues, transcendence must be regarded as an accomplishment of the immanent sphere itself, a product of its own self-development.¹⁴⁴ The process by which existence is elevated to the concept must be understood as self-knowing, self-verifying (*sich bewahrende*), or self-certifying (*selbstvergewisserende*) process; truth as *adaequatio* must be conceived as self-adequation.¹⁴⁵ In this immanent self-movement "alone rests the sublating of the opposition between concept and reality."¹⁴⁶ So long as transcendence is not also a process of the real's own immanent self-development, it remains abstractly juxtaposed to the domain of immanence, thereby sanctioning the reality to be nullified.

To forestall misunderstanding: in embracing the notion of truth as immanent self-development, Hegel does not abandon a transcendent understanding of the relationship of reason and reality. He does not replace a concern for overreaching or transfiguration (*Übergreifung*) with one for fulfillment (*Erfüllung*). Hegel is so interpreted by Adorno, who maintains that Hegel reduces transcendence to "the immanence of the human spirit," and thereby "abolishes it altogether."¹⁴⁷ This reading misconstrues Hegel's conception of teleological self-development. Teleology for Hegel is, *pace* Adorno, not Aristotelian teleology; it is not the actualization of a potential at first only implicitly present in a given object or subject matter.¹⁴⁸ This interpretation disregards the "Christian" character of Hegelian self-realization. It disregards the fact that for Hegel, self-realization is also a process of self-sublation, where the immediacy of existing reality is nullified and replaced by a new reality or immediacy, one engendered or "created" by the rational Idea itself.

The process by which something actualizes its own concept is also the process of the concept's own self-realization. In its elevation to the

concept—defined by Hegel as the principle of “*absolute form*,”¹⁴⁹ the real confronts a “turning point,”¹⁵⁰ a “fresh beginning,”¹⁵¹ where “there is no longer any immediate determination that is not equally *posited* and itself Concept.”¹⁵² In Hegel’s account of teleology, “what appears as sequel and derivative is rather the absolute *prius* of what appears to mediate it.”¹⁵³ Only when the real is rendered “*perfectly* adequate to the concept of spirit” is its self-realization completed.¹⁵⁴ Indeed, far from adopting an Aristotelian notion of teleological self-development, Hegel defines teleology as a process of self-negation.¹⁵⁵ Something attains true reality only when purged of its immediacy, when it possesses no attribute that does not express the concept itself.

Adorno is thus wrong to argue that Hegel’s focus on the domain of immanence nullifies sensitivity to the transcendent considerations which, in Adorno’s view, normative theory must nurture in the face of a wholly irrational reality. There *is* a transcendent dimension to Hegel’s theory of immanent self-realization. The point here is only that for Hegel—who regularly characterized his position as a “circle of circles”¹⁵⁶—the aims of transcendence are themselves best pursued when they assume immanent form. We have already seen that complete movement beyond existing reality is achieved not by negating but incorporating the “truth” of the domain to be superseded. It is now evident that, for Hegel, this process is itself possible only when the operation is conceived not exogenously but as an expression of the subject matter’s own activity, its immanent self-development. “The richest is . . . the most concrete and most *subjective*, and that which withdraws itself into the simplest depth is . . . the most overreaching” (*Übergreifendste*).¹⁵⁷ Only in this process of interiorization is something truly “repelled from itself” (*sich von sich abstößt*).¹⁵⁸ Hegel does indeed subscribe to what Adorno dismisses as a “mystical impulse”—the notion that the “intramundane and historic is relevant to what traditional metaphysics distinguished as transcendence.”¹⁵⁹

Hegel’s circular concept of “immanent transcendence”¹⁶⁰ can be further clarified by considering his stance on modernity. Like Adorno, Hegel offers a radical critique of the normative foundations of modern thought and culture. The fragmentations caused by modern subjectivism can be successfully healed only by invoking an altogether different paradigm, one oriented to unity rather than differentiation. For Hegel, this means that philosophy must restore the speculative tradition of classical Hellenic thought. It is in the unifying forces of Greek *theoria* and the logos tradition generally that he finds the tools to surmount the modern dichotomies of, *inter alia*, thought and being, subject and object, reason and sensibility, and individual and community.

On the other hand, Hegel’s “transcendent” critique of modernity is not an unreserved reaffirmation of the Greek experience. For the Greeks, the logos tradition was intertwined with a contemplative view of theory, one tied to a belief in the intrinsic meaningfulness of the cosmos. Belief in

reality's essential intelligibility enabled the Greeks to espouse a logos philosophy that mirrored a unity presumed to exist *sub specie aeternitatis*.¹⁶¹ By contrast, the modern world, Hegel argues, is characterized precisely by the absence of a presupposed unity. Protestant subjectivism, bourgeois individualism, and mechanistic views of nature have reduced "the sacred grove to mere timber,"¹⁶² have deprived reality of intrinsic rationality. Thus, while Hegel finds in the Greek logos tradition the tools to overcome modern dichotomies, he is uninterested in rehabilitating Greek contemplativism itself. He would reject Adorno's effort to employ artistic mimesis to recovery a unity—"objective self-identity"—that escapes the clutches of subjective manipulation and conceptual mediation.¹⁶³ Imitation *was*, Hegel allows, a source of meaning in the polytheistic world of antiquity, where nature was deemed to be intrinsically rational.¹⁶⁴ In a desacralized world, however, mimetic representation of natural beauty no longer induces us to "bend our knee."¹⁶⁵ The prose of the modern world has stripped artistic mimesis of its value as a repository of spiritual truth.¹⁶⁶

A modern reaffirmation of the Greek logos tradition therefore demands a concept of *theoria* radically different from that predicated on the depiction of a preexistent order of being. Required is an *episteme* whose interests "are of a completely different nature than the interests of ancient philosophy."¹⁶⁷ In a world bereft of intrinsic intelligibility, reason must first construct the unity it previously reflected. It must migrate from *philo-sophia* to effective knowledge (*wirkliches Wissen*), from Eros to Work, from *Amor intellectualis Dei* to *die Anstrengung des Begriffs*.¹⁶⁸ Only by engaging the categories of subjective production can the claims of unity be vindicated when unity is no longer an object of contemplation.

Hegel's critique of modernity is thus not a radical repudiation of the foundations of modern thought itself. Hegel would readily accept the dictum of Rimbaud that, curiously, Adorno adopts for himself: *il faut être absolument moderne*.¹⁶⁹ The critique of modern subjectivism is effectuated with the tools of subjectivity; modern instrumentalism with the tools of productive labor. Hegel adheres to the Homeric motif that for Adorno is a cipher of human self-alienation: "the sword that inflicts the wound is also the one that heals it."¹⁷⁰ Nor could it be otherwise. The problems stemming from reality's increasing disenchantment cannot be redressed by invoking images of an enchanted world. A critique of modern culture that does not tacitly sanction what is to be surmounted must battle modernity with its own weapons.

At the same time, however, Hegel is not furnishing a paean to modernity itself. His appropriation of modern concepts of labor and subjectivity is not conceived immanently, as an actualization of their given potential. On the contrary, Hegel utilizes the tools of modern reason only to accommodate the Hellenic framework he invokes in his transcendent critique of modernity. Only by appealing to modern concepts of production can Hegel formulate a theory of internal purposiveness able to counteract the instrumentalism of

modern productivism. Only by appealing to modern concepts of subjectivity can he formulate a *logos* philosophy able to counteract the dualisms of modern subjectivism.¹⁷¹ Hegel's circular understanding of the relationship of ancient and modern exemplifies his general contention that transcendence is possible only by way of the immanent domain it surpasses.

III

Adorno's reading of Hegel is important because it recognizes what is often ignored: Hegel's equation of reason and reality is not an apologetic sanctification of the status quo, but one component in a normative theory oriented to the rational reconstruction of given experience. Nonetheless, Adorno does not do justice to Hegel's position. In his view, Hegel embraces a wholly immanent concept of normative critique, one that evaluates the real solely in terms of its own principle of rationality. In this way, Adorno argues, Hegel is blind to the "transcendent" or utopian considerations that must be nurtured in a world whose rationality or "concept" is itself irrational. Against Adorno, I argued that Hegel's concept of normative reconstruction is in fact guided by the same transcendent considerations that inform the concept of critique basic to negative dialectics. For Hegel as well, critique confronts the real not with its own concept but with an independent principle capable of radically questioning the totality of the given. My intention was not to suggest that Hegel is not also a theoretician of immanent critique. Adorno is right to argue that he is. In Hegel's account, however, a concern for immanence does not rule out one for transcendence. On the contrary, immanent evaluation for Hegel is, I argued, the precondition for a meaningful concept of transcendent critique—Adorno's as well. To be sure, Adorno also espouses an immanent approach to transcendent critique. This is consonant with his dialectical approach to negativity. I have suggested, however, that he embraces a concept of immanence that is little more than a code word for transcendence. Adorno does not follow Hegel in recognizing that a viable concept of transcendent critique must incorporate and further develop the "truth" of the immanent domain it rejects and strives to surmount.

An accurate understanding of Hegel's concept of transcendent critique is important for various reasons. First, it demonstrates that Hegel's "speculative" principle of the unity of reason and reality, far from fostering an apologetic attitude toward the status quo, is in fact imbued with an emphatically critical dimension, one able to confront reality with the utopian considerations commonly deemed anathema to Hegelian thought. Second, Hegel's critical theory, based as it is on the conjunction of transcendent and immanent considerations, provides a means to surmount the dichotomy of universalism and contextualism that still hampers current approaches to normative theory. Third, Hegel's mediated account of the

relationship of concept and existence reveals a way to surmount the opposition between the goals of immanent fulfillment and utopian transfiguration, an opposition that has plagued the history of critical social theory.¹⁷² Finally, Hegel's dialectical conception of the relationship of positive and negative supplies a unique strategy to combat Adorno's negativism. According to Habermas, Adorno's position can be effectively challenged only by questioning its premise of the general falsity of the real. Adorno's pessimism can be checked only by recognizing that social reality is constituted not just by instrumental reason but by a communicative rationality that, fully expressed, can curb the totalizing tendencies of the former. Only by contesting Adorno's basic diagnosis, Habermas maintains, can his negative conclusions be avoided.¹⁷³ By contrast, a Hegelian critique proceeds more "immanently." In a dialectical account, Adorno's pessimistic conclusions can be sidestepped even while accepting his premise concerning the real's general irrationality. Indeed, for Hegel, absolute negativity is surmountable only by endorsing it completely—by "looking the negative in the face, and tarrying with it."¹⁷⁴

4 Law, Culture, and Constitutionalism

Remarks on Hegel and Habermas

In *Between Facts and Norms*,¹ Jürgen Habermas draws a distinction between law and culture. Questions of law are matters of justice that concern rules adopted by citizens to regulate their communal life and, in principle, define the structure of any validly constituted legal community. Questions of culture, by contrast, bear on the ethical self-understanding of a particular community and pertain to the values that define that community and its sense of what is desirable. Habermas, to be sure, acknowledges that a system of law is tied to the values of a community in the way that, say, a moral account of justice is not. It is in thus distinguishing law from morality that he expands on and even revises earlier versions of his “discourse-theoretic” approach to normative issues. Nonetheless, Habermas maintains that regarding meaning and legitimacy, legal questions possess a formality and generality that distinguish them from the substantive particularism of ethical-cultural considerations. Nor could it evidently be otherwise. Paradigmatically committed to structures of communication rather than modes of consciousness, the discourse-theoretic approach is arguably obliged to downplay attention to those orientations, attitudes, and motivations that more centrally comprise the focus of a cultural approach to law.

In this chapter, I question Habermas’s pointed distinction between law and culture, a distinction replicating his neo-Kantian juxtaposition of the right and the good. I shall not, however, dispute Habermas’s contention that cultural matters bear on the ethical values of a community or, conversely, that legal questions concern general rules and principles governing communal conduct. Instead, I challenge the assumption—certainly not unique to Habermas—that the relationship of law and culture must be construed in terms of the static oppositions sketched in his work *Between Facts and Norms*. I do so by recalling arguments advanced by Hegel in his *Philosophy of Right* (or Law),² where he calls for the supersession (*Aufhebung*) of law in ethical life (*Sittlichkeit*). In particular, I argue that legitimate law presupposes for its validity and, with special attention to constitutional law, for its meaning appeal to the type of ethico-cultural considerations connoted by the concept of *Sittlichkeit*. Additionally, I argue, *pace* Habermas, that Hegel’s culturalist approach to law entails neither a subordination of law

to ordinary politics nor a denial of the emphatic normative concerns this approach is often presumed to jettison. I conclude by noting the significance of Hegel's culturalist approach to law and constitutionalism.

In having recourse to Hegel, I do appeal to a thinker to whom Habermas gives little consideration in *Between Facts and Norms*, a book distinguished otherwise by its attention to competing accounts of law. This neglect is unfortunate given the affinities that do exist between the two projects, affinities noted in this chapter. That Habermas does accord little attention to Hegel is, however, understandable, at least from his perspective. On his view, Hegel's philosophy of law, like his philosophy generally, is rooted in the philosophy of the subject, a philosophy that cannot properly address the requirements of a comprehensive account of law or the realities of modern social life.³ For Habermas, a normative theory of law can be properly held under contemporary conditions only by attending to the anonymous, impersonal, and "subjectless" procedures that inform "the discursive structure of public communication."⁴ For this reason, then, Habermas saw little reason to engage a thinker whose theory of law, whatever its merits otherwise, remains ensnared by the philosophy of consciousness.

No more than this book as a whole, this chapter does not dispute the dependence of Hegel's thought on the principle of subjectivity. It is claimed, though, that, at least in Hegel's case, such reliance, far from impeding elaboration of an instructive and useful account of law, contributes significantly to that effort. Indeed, in some respects, reliance on this principle supplies benefits not available to the communicative approach Habermas advances in opposition. This is so, though, not just because it enables Hegel to advance an account of law that effectively combines attention both to objective structures and subjective sentiment. It is so, as well, because reliance on the principle of subjectivity enables Hegel to fashion the rudiments of a theory of normative evaluation that is context-transcendent and context-transcending on the one hand and directed to the conditions for the internal self-reproduction and self-definition of a particular cultural community on the other. In addition, Hegel's use of the tools of a philosophy of the subject throws light on the project of a dialectical account of practical philosophy, one that in this case confronts the limitations of subject-centered reason, not with appeal to an alternative account of rationality, but through attention to the claims and assumptions of that form of reason itself.

I

Hegel's account of the indispensability of culture to legal validity centers on his view of the place in legal philosophy of attitudes, motivations, values, and what generally he calls sentiment (*Gesinnung*). This emphasis on the concept of *Gesinnung* is traceable to Montesquieu, whose *De l'esprit des*

lois identified the social and cultural presuppositions of formal legal and political theory. In the *Philosophy of Right*, Hegel develops Montesquieu's insight along several different tracks. Most important for present purposes is his view of the dependence of a genuine political order on the civic virtue or public sentiment of its citizens. In asserting this dependence, however, Hegel does not embrace the republicanism of those for whom civic virtue simply consists in engagement for the common values of a particular community.⁵ Habermas may follow those who equate republicanism with a defense of a communal ethos, yet, for Hegel, recourse to republicanism is inseparable for a modern commitment to rights, liberties, and the rule of law.⁶ In his view, the legal-procedural institutions necessary for a modern political order cannot properly function unless supplemented by attitudes that evince commitment to uphold and sustain those institutions.

This point is central to Hegel's account of the dependence of principles of abstract right and morality on *Sittlichkeit*.⁷ While asserting the indispensability of general principles of right and duty for a modern political order, Hegel maintains that those principles must be embedded within a public culture characterized by a general willingness on the part of citizens to accept and defend public norms. Without being thus situated, general principles are easily manipulated for ends inimical to the public goals they are assumed to serve. Thus, in his discussion of "Abstract Right," Hegel demonstrates how, in the absence of a commitment to such values as agreement, impartiality, and truthfulness, individuals will commonly enter into contracts they have no intention of honoring and that they may breach when it is in their interest to do so. Similarly, if contractual relations must be supplemented by a sense of moral duty, duties themselves, in the absence of a corresponding commitment to the value of accepting and honoring obligations, can likewise be manipulated for private advantage. This, of course, is central to Hegel's discussion of the hypocrisy characteristic of individuals who cloak their conduct in the garb of principles in order to pursue ends that are only too self-serving. In his method of presentation, Hegel specifies the nature and conditions of a public ethos only after having first examined the principles of right and morality. However, his substantive position, as he often notes, is that these principles have neither meaning nor reality unless embedded in a public culture characterized by an *antecedent* commitment on the part of individuals to those principles.⁸

The same point can be made with regard to the theory of positive law—for Hegel, as for Habermas, the central means of social integration in modern industrial societies. Anticipating Habermas, Hegel accords normative dimension to the concept of positive, coercive law, going so far as to perceive in positive law a type of postmetaphysical continuation of the aims of natural law theory.⁹ With Habermas (who builds on H.L.A. Hart), Hegel maintains that positive law rests on general claims to recognition (*Annerkantsein*)¹⁰ whose institutional viability both requires securing individual liberties and mandates that law find acceptance by the community as

a whole. For Habermas, to be sure, this takes the form of an account of the dependence of positive law on a theory of democracy, one in which those subject to the law ("the addressees of law") can simultaneously understand themselves as authors of law. For Hegel, the public dimension is of a more mediated character: legitimate law is rooted in a system of justice (*Rechtsplege*) and a structure of public authority (*Polizei*) committed to the common good.¹¹ Whatever the differences, though, Hegel anticipates Habermas in discerning in the concept of valid positive law simultaneous commitment to general principles of public as well as private autonomy.

Where Hegel does differ from Habermas is in rejecting any conceptual relationship, or "internal connection," between positive law on the one hand and justice and autonomy on the other.¹² In his view, the relationship between positive law and more emphatically normative principles is at best contingent. Indeed, given the roots of positive law in modern commercial societies—where the common good is achieved, if it is achieved at all, not directly but as an incidental by-product of individuals pursuing private ends—positive law, for Hegel, is compatible with growing injustice, social inequity, and what, generally, he calls a *Verlust der Sittlichkeit*.

Hegel's *Philosophy of Right* does include institutions of public welfare designed to counteract the injustices associated with an economic construal of positive law. Yet he also knows that legally sanctioned forms of state intervention into social relations can be counterproductive, as they tend to undermine the very liberties and forms of dignity they are intended to protect. In a welfare system, "the needy might be given subsistence directly, not by means of their work, and this would violate the principle of civil society and the feeling of individual independence and self-respect in its individual members."¹³ In this regard, positive law, in Hegel's view, tendentially assumes the forms of legal regulation, or juridification (*Verrechtlichung*), that Habermas so astutely analyzed in *The Theory of Communicative Action*,¹⁴ yet is less inclined to address in his present theory.¹⁵ Whether expressed in market relations or state interventionism, positive law, for Hegel, remains in the grip of a dichotomy of universal and in particular, public and private, which undermines its claims to freedom, equality, and mutual recognition.

Habermas, to be sure, is no less aware than Hegel of the pathologies that can result when law is subordinated to the exigencies of monetary and administrative subsystems. Indeed, the discourse theory of law is, notably, conceived precisely as an effort to fashion an alternative to both bourgeois-liberal and welfare state paradigms of law, neither of which can do justice to the public autonomy central to an account committed to conjoining constitutional and democratic theory. Still, the differences are significant, because for Hegel the limitations of positive law stem not from its economic or statist construal but from the structure of positive law itself.¹⁶ Because positive law does not address matters of sentiment, because it is only posited or imposed ("*nur gesetzt*"), because it is governed by a procedural formality or, what Hegel calls, "lawlikeness" (*Gesetzmässigkeit*) designed

only to regulate external behavior, it can accommodate and even foster conduct inimical to civic life.¹⁷ This point has been made by Peter Dews, who notes the potentially disintegrative dimension of a notion of law that permits anything not explicitly forbidden.¹⁸

Thus, while Hegel may share Habermas's commitment to the rationality of a system of positive law, he also recognizes that the salutary values associated with such a system cannot be assured via the resources of positive law itself. Instead, positive law, like abstract right and formal morality, must be embedded in a public culture characterized by a commitment on the part of citizens to the principles implied by the rule of law. This is the point of his celebrated supersession of civil society in state. At issue is not the denial of the legal institutions of civil society but the accommodation of the attitudes and sentiments required for their sustainability. In the ethical universe (*das sittliche Universum*)¹⁹ connoted by Hegel's account of a polity, individuals attend to the ends of public life not coincidentally, as in civil society, but directly and deliberately. In this way, they are able to defend and nurture those principles of law that are rendered pathological when law is autonomized in the form of markets, the "external" welfare state, or even formal procedures. For Hegel, the principle of justice implied by civil society is dependent on a political culture committed to justice as a good. The procedural model of justice entailed by a rational concept of positive law rests on the civic republicanism of an ethical community.²⁰

II

It may seem that Habermas's position has been done a disservice, for he certainly does not ignore the ethical-cultural considerations that Hegel claims are essential for sustaining an institutionalized system of positive law. Indeed, he asserts that, via the deliberative politics that conditions its legitimacy, a valid system of positive law is connected to a rationalized life-world that "it meets halfway" (*entgegenkommen*), a political culture characterized by commitment to the values associated with the rule of law.²¹ In this respect, Habermas holds that law depends on what, following Albrecht Wellmer, he calls a "democratic *Sittlichkeit*."²²

Law can be preserved as legitimate only if enfranchised citizens switch from the role of private legal subjects and take the perspective of participants who are engaged in the process of reaching understanding about the rules for their life in common. To this extent constitutional democracy depends on the motivations of a population *accustomed* to liberty, motivations that cannot be generated by administrative measures.²³

Yet this appeal to *Sittlichkeit* on Habermas's part is problematic for several reasons. On a general level, there is something dubiously circular

about the appeal itself, for, after all, Habermas champions positive law as a source of social integration precisely because the modern world, decentered and pluralistic in structure, has rendered implausible appeal to an ethos as a credible source of social integration. If law is invoked to counteract the deficiencies of appeal to an ethos, it cannot itself appeal to ethos as the condition for its legitimacy.²⁴

Even apart from this problem, however, Habermas's appeal to *Sittlichkeit* remains problematic from a Hegelian perspective. When Habermas relates a valid system of positive law to the ethos of an existing political culture, he is not following Hegel in asserting that cultural embeddedness conditions the meaning and validity of law. Instead, he maintains only that cultural contextualization is needed to *apply* principles whose validity has been exogenously determined—via analysis of the formal pragmatic conditions of communication.²⁵ Legal norms are indeed matters of justice and thus “are not inherently related to a specific collectivity and its form of life.”²⁶ It is true that, unlike moral norms, which claim transcultural status, juridical rules, for Habermas, “also give expression to the particular wills of members of a particular legal community.”²⁷ Still, valid legal norms possess a context-transcending dimension, one requiring that they “be compatible with moral standards that claim universal (*allgemeine*) validity beyond the legal community.”²⁸ In this way, Habermas advances what Georgia Warnke has called a “top-down” account of the relation of norms to culture, where cultural values are molded to accommodate already justified norms and principles. While he may appropriate certain features of Hegel's *Aufhebung* of morality and law in *Sittlichkeit*, his juxtaposed understanding of the relationship of justification and application, procedure and ethos, the right and the good, precludes any systematic appropriation of the basic principle, nicely formulated by Warnke (though invoking Charles Taylor rather than Hegel): “cultural values and orientations must be acknowledged not just as elements of the concrete situations to which principles of justice apply but as codeterminers of their meaning.”²⁹

From a Habermasian perspective, it may be countered that, in his attention to cultural considerations, Hegel has departed from the very domain of law, jettisoning the question of the norms that citizens adopt to regulate their common life for what in fact are only the cultural assumptions of a particular community. Neo-Kantian legal scholar Ingeborg Maus has argued along these lines when dismissing as “legal nihilism” efforts to “sublate” law in *Sittlichkeit*.³⁰ Habermas himself levels similar charges against republican legal scholars, such as J.G.A. Pocock, who draw “on the language of classical ethics and politics rather than on a legal vocabulary.”³¹

But these concerns, however warranted as regards communitarian republicans, are unjustified as regards Hegel, for whom notions of cultural value and civic sentiment are implied by the very concept of law. He does not follow Kant, who, he notes, defined right, or law (*Recht*), as “the limitation of my will or freedom of choice (*Willkür*) in such a way that it may

coexist with the will or free choice of everyone else in accordance with a universal law.”³² Instead, *Recht* is defined by Hegel as the “*Dasein des freien Willens*.”³³ In this way, he repudiates Kant’s effort—evidently continued in Habermas³⁴—to define law in terms of external considerations, be it observable behavior, objective institutions, or formal procedures. By focusing on the existence of the moral will rather than free choice, on *Wille* rather than *Willkür*, Hegel announces at the outset that law encompasses internal as well as external considerations.³⁵ As the “Idea of Freedom”³⁶—and, of course, an Idea here connotes the unity of concept and existence, right denotes a relationship of subjective orientations and objective conditions.³⁷ Hegel’s *Philosophy of Right* is indeed a theory of Objective Spirit. This expanded notion of law can be better appreciated by considering Hegel’s concept of the constitution, *die Verfassung*.

Again with Montesquieu, Hegel claims that a constitution must not be viewed exclusively or even primarily in terms of formal-legal institutions. Such an approach is indeed captured by an account of what Hegel calls the “political constitution,”³⁸ or *Konstitution*,³⁹ and while such an account is essential to constitutional theory, the constitution itself must accommodate the broader cultural values and practices of a people. A constitution can have binding value for a people only to the extent that it expresses “the customs and consciousness of the individuals who belong to it.”⁴⁰ Without this specific reference to sentiment, the constitution remains an abstraction (*Gedankending*), and so “will have no meaning or value, even if it is present in an external sense.”⁴¹ For a constitution to hold constitutive value for a culture, it “must embody the nation’s feelings for its rights and conditions.”⁴²

In keeping with this commitment to the centrality and even priority of culture and sentiment, Hegel links his constitutional theory to the idea of a *Volksgeist*, the spirit of a nation or people. He calls the *Volksgeist* the foundations or “cause” of a nation’s constitution, something he intends in a double sense. First, he asserts that the constitution must be in “agreement with the *Volksgeist*.”⁴³ It must express “the living customs present in the nation.”⁴⁴ Second, he maintains that a *Verfassung* is itself the *Volksgeist*.⁴⁵ Here, the constitution is conceived as the organizing principle that sustains and indeed constitutes a people, the principle that both expresses and shapes its identity.⁴⁶ A *Staatsverfassung*, he writes in *Natural Law*, is “the constituting of the absolute ethical identity”⁴⁷—that principle of collective self-definition that animates the laws and institutions of a nation.⁴⁸ In both respects, the very idea of a constitution incorporates, for Hegel, the cultural considerations that neo-Kantians such as Habermas strictly demarcate from legal principles.

In emphasizing the relationship of a constitution to the spirit of a people, Hegel clearly rejects the Enlightenment tendency to regard the constitution as a product of formal political-legislative enactment. As he never tires of arguing, a constitution cannot be regarded as a construction (*ein Gemachtes*). This approach—evidently reaffirmed by Habermas⁴⁹—is ruled

out if for no other reason than that it fails to recognize the degree to which a people is always already constituted. The notion that a constitution could be an explicit act of creation is part and parcel of the liberal conviction that, outside formal institutions, individuals are isolated atoms related to one another in the formless "shape" of an aggregate. Yet this view, aside from the injustice it may do to a concept of human nature, misconstrues political action (constitution-making included), which is unintelligible unless individuals are already related to one another in some preconstituted manner.⁵⁰

At the same time, however, denial of the formal constructability of a constitution is not to imply that, for Hegel, constitutionalism is not linked to an emphatic notion of political action. Hegel's point is not the Burkean one that renders a constitution just a matter of tradition, custom, and historical evolution. Precisely because the constitution is an expression of a public culture, it must, if it is to retain validity, regularly be refashioned to accommodate and adapt to changing values and circumstances. While a constitution can never be formally made, it must nonetheless be routinely renewed or rejuvenated (*verjüngert*)⁵¹ if it is to continue to embody adequately and constitute the *spirit* of a people. Indeed, Hegel's constitutional theory in this respect assigns a greater and more demanding role to constitutional politics than does the liberal counterpart.

In its assumption that a constitution can be the product of self-sufficient individuals who adopt rules to protect their subjective liberties, liberal thought presumes that a constitution is a type of contract, one that, once finalized, acquires a binding force that renders unnecessary further recourse to constitutional politics. By contrast, a more historically sensitive approach to constitutional theory depends on the continued and ongoing involvement on the part of the individuals governed by it. Precisely because a constitution is never only a legal structure but an organizing principle of an existing people, because it is a principle of collective identity rather than contractual relation,⁵² it can retain meaning and validity only inasmuch as it is reconsidered and reappropriated to accord with changes in the conditions of a people's self-definition. If the constitutional language of choice for liberalism is construction (*Machen*), Hegel invokes that of interpretation (*Auslegung*).⁵³ Understood as a transmitted legacy whose vitality requires renewal, a constitution depends on a community of interpreters who reappropriate and clarify legal traditions, principles, and institutions in light of present realities.⁵⁴

In this respect, Hegel's constitutional historicism, as it might be called, is not a paean to tradition but a call for civic virtue or patriotism, one in which civic engagement and public virtue play a central role in defining and indeed constituting the constitution. Adapting an expression of Frank Michelman,⁵⁵ we might say that Hegel advances a notion of *jurisgenerative* patriotism, one accounting for the very meaning and reality of the constitution. This follows from the fact that a constitution is understood by Hegel not as a fixed and formal construction but as a complex of values and institutions that

depends for its continued vitality on the activity of a citizenry prepared to reinterpret and reapply received principles and traditions in light of changing social circumstances. Hegel, to be sure, notes the extent to which patriotism also denotes an attitude of loyalty vis-à-vis existing institutions and as such is “merely a consequence of the institutions within the state.”⁵⁶ Yet the dependence of constitutionalism on interpretive appropriation and revalidation mandates that patriotism also have a constructive role.⁵⁷ “Patriotism is the result of the institutions of the state, just as this sentiment is the source through and out of which the state has its activation and its preservation.”⁵⁸ We find such constitution constitutive patriotism in the participation of individuals in those corporations or intermediate associations whose vitality is central to a constitutional order defined through the unity of legal institutions and the subpolitical domains of family and sociality—those crucibles of civic sentiment termed by Hegel “the pillars of public freedom.”⁵⁹ And it is also discernible in his account of the participation of individuals in public debate, principally in legislative assemblies where the constitution acquires “new and further determination.”⁶⁰ In both respects, civic virtue is essential to the continued meaning and reality of a constitution.

III

It may again seem that we have done Habermas an injustice. While his is a procedural account of the constitution, it is one that seeks to accommodate the motives and attitudes of citizens.⁶¹ “The principles of the constitutional state can become the driving force for the dynamic project of actualizing an association of free and equal persons only if they are contextualized in the history of a nation of citizens in such a way that they connect with these citizen’s motives and fundamental beliefs (*Gesinnungen*).”⁶² Moreover, Habermas stresses, as does Hegel, the importance of collective interpretation and reinterpretation for the meaning and even reality of the constitution. “Every constitution is a living project that can *endure* only as an ongoing interpretation continually carried forward at all levels of the production of law.”⁶³ In this respect, Habermas distinguishes his constitutional theory from Rawls’s constructivist approach, which, like contract theory, binds political will-formation to the requirements of an originary agreement.⁶⁴ As he notes in arguing for the co-originality of private and public autonomy, constitutional stipulation regarding basic rights cannot be dissociated from political processes of debate and action. Furthermore, Habermas underscores the extent to which this dynamic vision of the constitution relies on the public engagement of citizens:

From this long-term perspective, the constitutional state does not represent a finished structure but a delicate and sensitive—above all, fallible and revisable—enterprise whose purpose is to realize the system

of rights *anew* in changing circumstances, i.e., to interpret the system of rights better, to institutionalize it more appropriately, and to draw out its contents more radically. This is the perspective of citizens who are actively engaged in realizing the system of rights.⁶⁵

Finally, Habermas follows Hegel in asserting that this form of civic engagement must also be understood as a type of “constitutional patriotism,” one which is animated by an effort to interpret and reinterpret basic rights and principles.⁶⁶

Still, the place of collective interpretation and civic engagement in Habermas’s constitutional theory remains ambiguous. While he clearly seeks to incorporate such components into his account, he does so at a secondary level. Such activity is necessary for realizing an abstract system of rights whose validity is secured independently—in the analysis of formal pragmatic conditions for discourse. No less sympathetic a critic than Thomas McCarthy has noted the dualism between cultural clarification and normative validation in *Between Facts and Norms*: “Habermas’ hermeneutic self-clarification does not function as the basic level of justification in his theory of justice. Rather, it is theoretically subordinate to his derivation of an ‘abstract system of basic rights’ through an analysis of the presuppositions of democratic self-determination.”⁶⁷

Indeed, Habermas himself makes this point in the book’s 1994 “Postscript,” something noted by Rawls in defending himself against Habermas’s charges.⁶⁸ Not unlike Rawls, with whom his differences, he says, “remain within the bounds of a family dispute,”⁶⁹ Habermas asserts that the realization of rights is achieved through the institutionalization of rights against the state, not the rights individuals initially cede one another as persons—rights that must be presupposed in subsequent realization processes.⁷⁰ At most, Habermas appears to argue that a constitution facilitates the process of its realization, but that realization process itself presupposes core principles whose validity is already determined. Nor is it clear how it could be otherwise. Anything else would call into question the basic distinction between justification and application that informs Habermas’s practical philosophy—a distinction, he writes, that is no less appropriate for legal than for moral theory.⁷¹ It would also call into question his fundamental distinction between the right and the good as well as his prioritizing the former. If “[u]nlike ethical questions, questions of justice”—and Habermas construes legal norms as matters of justice—“are not related from the outset to a specific collectivity and its form of life,”⁷² then efforts at contextualizing rights remain categorially distinct from conditions of their validation.

In this respect, then, Habermas’s position remains manifestly distinct from that of Hegel. In Hegel’s view, matters of justification cannot be fully demarcated from those of application.⁷³ Precisely because constitutional principles are inextricably intertwined with the values of a culture, issues of constitutional validation are always linked to their contextualization—just

as, conversely, matters of contextualization can never be fully removed from those of justification. Hegel would agree with Frank Michelman, who asserts that “[c]onstitutional law is institutional stuff from the word go,” and who accordingly accentuates the “substantial-ethical character of ordinary-justificatory discourse.”⁷⁴

It is thus not surprising that Habermas’s idea of constitutional patriotism does not assume the jurisgenerative form it has with Hegel. While he follows Hegel in formulating a notion of patriotism based on interpreting basic principles in light of changing circumstance, interpretation remains at the level of the affirmation of principles whose validity can be determined independent of the conditions of their appropriation by a particular community.⁷⁵ The efforts of the constitutional patriot, in Habermas’s account, remain directed to the “best interpretation of the same basic rights and principles”⁷⁶—those “equally constitutive (*konstitutiv*) for every body of citizens.”⁷⁷ His is therefore not Hegel’s constitution constitutive patriotism, where republican engagement is part and parcel of an activity through which the meaning and validity of a constitution is shaped and defined.⁷⁸

None of this implies that Hegel conceives constitutional politics merely a feature of popular will. Though Hegel does accentuate the place of legislative activity in constitutional politics,⁷⁹ that very fact assures that the process is governed by constraints—the “constitutional laws” (*Verfassungsgesetze*) that govern ordinary legislation.⁸⁰ In addition, any autochthonous notion of parliamentary action is ruled out by the “organic” nature of the constitution. Precisely because a people is always already constituted, any popular change of the constitution itself presupposes the constitution and therefore can occur “only in a constitutional manner.”⁸¹ Moreover, commitment to “entrenched” constraints also flows from Hegel’s equation of the constitution with the *Volksgeist*. Because a constitution, for Hegel, is understood as the spirit of a people, constitutional change consists in the change in a people’s identity. Yet because the object of change is also the source of the change, any act of change is simultaneously an affirmation of principles of constitutional continuity.⁸² In this respect, Hegel is as opposed to wholesale transformation as he is to binding precommitments. “Individual components can be changed, but not the whole, which shapes itself gradually.”⁸³ Hegel could well sympathize with Thomas Jefferson’s concerns about the dangers to civic life posed by adherence to constitutional structures that no longer express the concerns of the “living,” yet his own notion of constitutional renewal is governed by cross-generational constraints whose elimination is neither possible nor desirable.⁸⁴

Hegel’s theory can be instructively compared to that of Bruce Ackerman.⁸⁵ Like Ackerman, Hegel advances an emphatic notion of constitutional politics, one accounting for systematic alteration of constitutional principles via ongoing processes of popular self-constitution. With Ackerman, Hegel also recognizes that an account of constitutional change must accommodate larger cultural forces and cannot be restricted to any

formal amendment process. On the other hand, Hegel would reject Ackerman's contraposition of constitutional to ordinary or everyday politics. He would, in particular, reject Ackerman's Kuhnian-inspired view that change occurs through radical, episodic shifts operating outside ordinary political and legislative life. Claiming instead that constitutional change transpires through gradual transformations in a culture's self-understanding, Hegel would argue that everyday politics also thematizes constitutional issues, and any difference between the two is more of degree than kind.

Hegel thus anticipates Michelman, who construes constitutional change "more like a movement from margin to center—a shift of attention—than . . . the total replacement of one 'world' by another."⁸⁶ Conversely, Hegel would insist that even constitutional politics must be subject to the legal constraints that govern ordinary legislation and administration. While constitutionalism cannot be defined in terms of rights foundationalism, it also cannot be abandoned to the whims of subinstitutional populism. In a philosophy of law understood at once as *Naturrecht und Staatswissenschaft*, a political culture is sustainable only if ordinary legislation is capable of broaching constitutional questions *and* constitutional politics is not exempt from the formal constraints regulating ordinary parliamentary activity.⁸⁷

IV

Even if Hegel's notion of constitutional theory may be governed by juridical constraints that preclude either constitutional populism or parliamentary supremacy, its commitment to exigencies of a particular legal community may still leave it incapable of thematizing those "higher" norms and principles whose accommodation is, for Habermas, the task of any legitimate modern constitution. Indeed, by defining law in terms of a notion of *Volksgeist*, Hegel would seem to abandon law to the customs and habits of a particular culture, and thus forfeit the normativity and reflexivity claimed by nonculturalist conceptions of law. What Habermas says of communitarian theories might still apply to Hegel: he reduces law "to the ethos of an already integrated community" and "the substantial ethical life of a background consensus assumed as unproblematic."⁸⁸

In the foregoing, I have already indicated the general problem with this view: in situating law within the context of a particular culture, Hegel's point is not to foreclose but to initiate critique. The very demand that constitution express the culture of a people mandates that received traditions be constantly challenged and refashioned so as to accommodate changing practices and circumstances. The same point can be made with regard to Hegel's concept of the *Volksgeist*. For Hegel, a *Volksgeist* only subsists through such reflexivity. It is not some prereflexive *factum brutum*; it is, qua *spirit* of a people, sustained only through the arguments through which agreements and forms of collective self-interpretation are

defined and redefined over time.⁸⁹ It is no coincidence that Hegel identifies *Volksgeist* with a deliberative public sphere (*Öffentlichkeit*), for it is only in public deliberation about ends of communal life that a people “establishes its identity”; the public sphere “*ist der Geist der sich geltend macht*,”⁹⁰ the domain in which the spirit of a people is validated.

A similar point can be made by noting the sense in which, for Hegel, the *Volksgeist* denotes a structure of collective *self*-interpretation. Here, two matters are of import. First, in line with his social theory, Hegel maintains that the identity of a culture presupposes an openness to other cultures, including *a limine* other interpretations of its own culture. He makes the point when arguing that, as regards the nation-state, constitutional law (*das innere Staatsrecht*), presupposes international law (*das äussere Staatsrecht*). “The legitimacy of a state . . . is essentially to be completed through the recognition of other states.” As he also writes: “Without relations with other states, the state can no more be an actual individual [*Individuum*] than an individual [*der Einzelne*] can be an actual person with relationship with other persons.”⁹¹ While Hegel does define a constitution in terms of communal self-interpretation, his account of the logic of such interpretation incorporates and requires a pluralist openness to other perspectives, those that can challenge rather than reinforce the self-understanding of a given cultural context.

Second, in line with his metaphysics and his logic of self-knowing subjectivity, Hegel maintains that the process of self-reflection is governed by certain context-transcending norms. To be successful, processes of self-interpretation must conform to a normative concept of selfhood; they must also adequately accommodate structures of correspondence, self-congruence, reflective appropriation, and other criteria permitting differentiation between genuine and spurious forms of self-definition. What precisely these norms are and how they are to be determined is, naturally, a difficult matter. Clear, though, is that in asserting that the process of self-definition connoting *Volksgeist* must express the “shape of universality,”⁹² Hegel proffers a culturalist notion of a legal community able to challenge a community’s particularist self-understanding.

Thus, there *is* a normative-critical dimension to Hegel’s culturalist and even communal interpretation of law and the constitution. A legal community, for Hegel, is defined in terms of processes of self-interpretation that require reflexivity, adhere to mechanisms of public deliberation, remain open to plurality of perspectives, and acknowledge norms and ideals able to scrutinize an existing social structure. Habermas repudiates a culturalist conception of law because he assumes that all (ethico-cultural) values are normatively particularist. “Valid norms obligate their addressees equally and without exception to satisfy general behavioral expectations, whereas values are to be understood as intersubjectively shared preferences.”⁹³ Yet the uniqueness of Hegel’s culturalist approach to law lies precisely in its effort to fashion what might be called a normative-critical *logic of*

ethicity. Against static oppositions between concepts such as norms and values, Hegel's position furnishes the parameters for a normative account of the reproduction and self-reproduction of a culture.⁹⁴

V

Appreciation of Hegel's cultural concept of law is *inter alia* important as it contributes to current debates in constitutional theory itself, triggered anew by recent developments in Canada, Eastern Europe, and elsewhere. It demonstrates, for instance, how, *pace* Ackerman, constitutional and ordinary politics can be conjoined without vitiating their important differences; how processes of constitutional revision can, *pace* Rawls, thematize "constitutional essentials" rather than just their application; how, *pace* Habermas, constitutional patriotism can have a truly constitution-constitutive, or juris-generative, function; how, *pace* Dworkin, constitutional hermeneutics can assume the form of a community-wide rather than just a judicial interpretation; how, *pace* Michelman, constitutional culturism can be understood as much through reference to a future as to a past or present identity. Similarly, appreciation of Hegel's position demonstrates that constitutionalism need not be distinct from popular sovereignty and that liberal commitment to the rule of law is not antithetical to conditions for collective identity and mutual trust. Or again, Hegel's claim that constitutionalism focuses on an always already constituted people whose vitality is maintained through continued, collective processes of self-(re)interpretation renders his position hospitable to the pluralistic assumptions less easily accommodated in constitutional theories committed to an originary contractual agreement.⁹⁵ Finally, Hegel's account of constitutional formation demonstrates why constitution-founding is always a matter of reconstitution, how a constituted people can also claim constitutive power (*un pouvoir constituant constitué!*), and how by fashioning constitutional politics as a legally governed parliamentary process, Hegel provides a method for navigating a course between rights foundationalism and legal populism.

Hegel's account of law is also significant for more generally philosophical reasons. In particular, it can serve as a model for a normative theory at once nonfoundational and immune to charges of contextualism. Indeed, by deriving normativity from the conditions for historical embeddedness itself, Hegel advances a critique of contextualism arguably more consequential than a version that simply contraposes norms to history and tradition. At the least, the principle of self-congruence governing his account of collective self-formation demonstrates how constitutional theory can attend to the exigencies of a particular culture and still champion an emphatic account of normativity without necessitating recourse to a general theory of language, rationality, or autonomy.

5 Political Pluralism in Hegel and Rawls

One of the criticisms commonly made of any contemporary appeal to Hegel's political theory is that his theory appears to ignore current realities, especially the conditions of social and cultural pluralism that distinguish modern societies. Hegel is assumed to be committed to a view of political life that prioritizes organic unity, praises communal bonds, accentuates shared traditions, and exhorts patriotic engagement for communally valued ends. Moreover, this conception of political life is formulated as part of a general philosophy that champions monism, systematicity, absolutism, and conceptual closure. Such values are hardly consistent with the principles of tolerance, heterogeneity, diversity, novelty, open-endedness, and fallibilism that form the focus of so much discussion today in politics as in theory.

Yet while much in Hegel's philosophy is inimical to any pluralist rendering, his thought generally is less opposed to pluralism than is commonly assumed. Proper examination of his theoretical and, particularly, practical philosophy reveals that on many points he is as receptive to pluralist considerations as are those opposed to his alleged monism. Indeed, in some respects, Hegel is more disposed to pluralism than those who present themselves as its proponents. Naturally, Hegel should not be counted among the preeminent advocates of difference or agonism. Concepts such as unity, identity, and reconciliation, indisputably remain at the core of his thought. It is also the case, though, that Hegel's commitment to such concepts is inseparable from a simultaneous commitment to the principles of opposition, diversity, self-reflexivity, and open-endedness often associated with pluralist thought. For Hegel, a genuine account of holism is inconceivable without a concurrent affirmation of diversity, just as a genuine account of pluralism is inconceivable absent thematization of unity and commonality. Little else is, in fact, conceivable for a writer whose thought is centrally committed to surmounting of abstract dichotomies—above all, that between the one and the many.

In this chapter, I examine Hegel's conception of political pluralism by comparing it with that of John Rawls, whose theory of political liberalism is designed in large part to accommodate modern social and political pluralism. I defend four related theses: (1) not only does Hegel advance a

developed conception of political pluralism, but he does so more robustly than does Rawls, whose political liberalism is conceived in part as an antidote to the purportedly antipluralist tendencies endemic to Hegelian thought; (2) while Hegel does accentuate the political centrality of a communal ethos and a common notion of the good, his aim is to fortify, rather than undermine, the pluralist principles that, for Rawls, are sustainable only by subordinating the good to the right; (3) although Hegel does accord special place in public life to the types of comprehensive doctrines Rawlsian pluralism banishes to the domain of the prepolitical, his aim is in part to provide for the functional conditions of a theory of political pluralism; and (4) while Hegel shares with Rawls a sensitivity to the "tragic" conflicts and oppositions characteristic of modern social life, he regards them less as "facts" than as sociocultural constructions, with the consequence that ethical conflict, however profound in modern life, is not deemed in principle irreconcilable.

I

The concept of pluralism is central to Rawls's political philosophy as formulated in *Political Liberalism*.¹ Focusing on sixteenth and seventeenth century wars of religion, Rawls there advances a notion of politics whose task is to accommodate the fundamentally pluralist conditions of modern life and, in particular, the profound conflicts regarding values and conceptions of the good that typify modernity. Political philosophy thus proceeds from the question: "How is a just and free society possible under conditions of deep doctrinal conflict with no prospect of resolution?"²

Already in this formulation, however, Rawls reveals a certain ambivalence toward pluralism, its social and political centrality notwithstanding. Rawls may embrace pluralism as part and parcel of the liberties of modern societies, presenting it "as the natural outcome of the activities of human reason under enduring free institutions."³ At the same time, he regards it more as a condition to be managed than a value to be championed. Under modern conditions, political philosophy is charged with devising principles of justice able to facilitate social cooperation among groups and individuals incapable of achieving agreement on fundamental values or "comprehensive doctrines." While political liberalism proceeds from social and political pluralism, it itself focuses on the principles of social order able to offset or "contain" the disorder and threat to stability imminent in modern pluralistic societies.⁴ Rawls certainly claims, against conservatives, that pluralism is "not a disaster" and is "not an unfortunate condition of human life."⁵ Yet this endorsement, if that's what it can be called, itself attests to his ambivalence. Modern pluralism is not a disaster only because modern societies have fashioned "a new social possibility"—a constitutional order in which "social unity and concord" are now achievable despite the absence of any agreement on fundamental values and doctrines.⁶ That modern societies

might be distinctive because of their diversity is a view that finds limited expression in Rawls's thought.

Rawls does claim that principles of social cohesion are themselves fashioned in a pluralist manner. At issue is not a "metaphysical" explication of the principles of justice but an intersectional composite generated from the diversity of existing values themselves. This is the basis for his rooting the principles of social cooperation in the idea of an overlapping consensus. Still, this idea itself betrays an ambivalence toward pluralism. For Rawls, an overlapping consensus and the principles of social order spawned by it are not conceived as a mere *modus vivendi*, a procedural compromise accepted by parties as convenient means to safeguard private welfare and diverse interests. If principles of social cooperation are to claim the stability required of just institutions, if they are to "fit together into one unified system of social cooperation from one generation to the next,"⁷ they must have "moral" status as well. Principles of justice must be affirmed not just for instrumental reasons, but because they embody principles that are deemed intrinsically valuable. In Rawls's conception of a well-ordered society, citizens "desire for its own sake a social world in which they, as free and equal, can cooperate with others on terms all can accept."⁸ Indeed, far from attending only to private goods, Rawls considers his notion of justice to express a principle of "common good," a set of "final ends" citizens of a well-ordered society share in common.⁹ Yet, if the principles of just social order are simply those that are commonly embraced and that proceed from what is held in common, then Rawls's endorsement of pluralism is only further qualified. Not only do such considerations raise questions about the degree to which political philosophy does in fact proceed from irreconcilable conflict; and not only do they place a substantive premium on public reason construed as consensus rather than, say, dissensus; they also serve to withhold recognition from those doctrines not amenable to cooperative rearticulation. A political philosophy focused on an overlapping consensus bars from the outset those doctrines whose incommensurability precludes participation in a consensus predicated on a doctrine's ability to share "common ground."¹⁰ Rawls himself acknowledges as much when noting that his is an account of "reasonable pluralism," one which, in opposition to "simple pluralism," bars all doctrines that are "unreasonable and irrational."¹¹ However incompatible otherwise, doctrines qualify for public recognition only if they are reasonable, which means that they must be committed to the values and obligations of social cooperation. Hence, while Rawls may start from the "fact" of irreconcilable pluralism, his own version of a rationally ordered society grants space only to views that at some level lend themselves to reconciliation; it is certainly not a vision in which diversity, difference, and heterogeneity play a defining role in the composition and identity of society. As one critic has noted, Rawls's "political liberalism can provide a consensus among reasonable persons who *by definition* are persons who accept the principles of political liberalism."¹²

As regards Hegel, we find that his position has much in common with that developed by Rawls, the latter's professed distance from Hegelian philosophizing notwithstanding.¹³ Hegel's political philosophy also proceeds from the "fact" of modern pluralism, what Hegel terms bifurcation (*Entzweiung*)—something that, with Rawls (and Berlin), he also construes via the language of tragedy. Hegel also closely links modern pluralism with early modern religious conflict, a point noted by Rawls in fashioning his own position.¹⁴ Further, Hegel sees the task of political philosophy as fashioning a theory of justice or right that can accommodate pluralism, acknowledging the impossibility of defining a modern political order in terms of any individual doctrine or creed. And like Rawls, Hegel asserts that the stability of a political order requires that its constitutive principles be collectively embraced as values that themselves derive from the culture in which they are embedded.

At the same time, however, significant differences separate the two positions. Later, we consider the sense in which the "common ground" to which Hegel appeals in anchoring pluralism is both richer and more variegated than that advanced by Rawls. First, however, let us note that Hegel's reception of pluralism is more robust and less grudging than Rawls's.¹⁵ This is perhaps most pronounced in his version of a "rational" approach to politics, where, unlike both Rawls and his postmodern critics,¹⁶ Hegel does not construe reason as a principle of harmony or cohesion juxtaposed to diversity. What characterizes such an approach—one based on reason (*Vernunft*) rather than the understanding (*Verstand*)—is precisely the effort to accommodate diversity. This is evident, *inter alia*, in Hegel's account of antinomies, which, for him, does not attest, as it did for Kant, to reason's illicit proclivity to exceed its proper boundaries. Instead, antinomies, together the principles of dialectical opposition they express, assume the role of central and constitutive components of a genuine conception of reason, one dedicated to conceptualizing the most basic features of experience and reality.

Similarly, what distinguishes objective or absolute idealism from what Hegel sees as the subjective version proffered by Kant and Fichte is precisely an effort to fashion an account of unity that is genuinely whole, one that, far from simply supplying a formal framework of possibility, systematically seeks to incorporate and build on substantive difference and opposition. For Hegel, bifurcation is as much a factor in thought as it is in life.¹⁷ Nor is his advance on his idealist predecessors merely a matter of extending the reach of a unifying framework. The sensitivity to "otherness" in Hegel's thought stems also from his effort to construe a totality not just from the perspective of theory but from that of the subject matter itself—as we might say today, from the perspective of the participants as well as the observer. The "product," he notes not unelliptically, "must be comprehended as a producing."¹⁸ While Hegel may share with Rawls an inclination to prioritize cohesion and communality, the force of his position is that these are

achieved because, and not in spite, of a commitment to pluralism. Accounting for holism is also "to look the negative in the face and tarry with it."¹⁹

The point can be made more concretely by turning to Hegel's theory of the modern state. It is now well recognized that Hegel's state is not a monolithic, homogeneous whole, but a complex and differentiated structure comprising a plurality of subpolitical occupational and preference-based associations, termed corporations and estates. The state is indeed an association of associations. Significantly, though, Hegel is not championing the idea of a central political "framework" that simply permits associational differentiation at the subpolitical level;²⁰ at issue is not something akin to Rawls' "social union of social unions."²¹ Instead, associational differentiation is, at least in modern states, central to the very identity and "vitality" of a genuine polity. A "living relationship exists only in an articulated whole whose parts themselves form particular subordinate spheres."²² This point is central to Hegel's very idea of a polity.

For Hegel, a polity consists and is constituted in the conjunction of structure and sentiment. A nation attains existence as such when legal-political structures are dispositionally embraced in social life, even as such dispositions are also shaped by institutional structures. In large, modern states, however, individuals cannot experience any direct identification with a central political order. The size, scale, and complexity of modern political institutions make such identification both impossible and undesirable. Any collective *esprit de corps* is now of a mediated nature, achieved through involvement in subpolitical associations where individuals can more tangibly perceive a correlation of their own interests and those of a whole. In modern states, these formally sub- or extrapolitical entities become the "pillars of public freedom."²³ This is, to be sure, not to deny the role for Hegel of centralized legal-political institutions. The "oversight of public authority" is required to prevent intra- and intergroup domination.²⁴ Moreover, with de Tocqueville, Hegel acknowledges that any public spiritedness generated at the local level can and should translate into broader forms of involvement. Still, the vitality and distinctive identity of a modern polity depends on and proceeds from what perforce are a multiplicity of extragovernmental bodies. "[T]he proper strength of states resides in their communities (*Gemeinde*)."²⁵ For Hegel, the integrity of the modern state is sustained through associational pluralism.²⁶

Hegel's commitment to political pluralism is also evident in his treatment of the concept of representation.²⁷ In opposition to much of the modern tradition, Hegel does not comprehend representation as the practice by which an individual seeks to articulate a view for and about the nation as a whole.²⁸ Hegel certainly does not follow Rousseau, for whom political activity converts a multitude into a single person, for whom public life relates to a relationship between me and myself. In line with a corporately differentiated account of the state, he maintains that a parliamentary delegate serves as a representative of a specific group, one whose voice is

institutionally secured on proportional and nonterritorial lines. It is not coincidental that he uses the language of *Mitwirkung* in describing representative activity, for the latter is just that practice of a delegate exerting an influence on individuals and groups with whom his views are not identical. Political representation presupposes and confirms a disjunction of part and whole.

Hegel, to be sure, does not claim that a representative acts on the basis of a mandate binding him or her to the views of a group. As a representative of "one of the essential spheres of *society*," the delegate must also deliberate on "matters of universal concern."²⁹ Hegel conceives parliament as "a forum for live exchanges and collective deliberations in which participants instruct and convince one another."³⁰ This is one respect in which his position is distinguished from a feudal conception of estate representation, where a delegate is expected to fully articulate the will of a lord. On the other hand, the representative freed from a *mandat impératif* is not thereby expected to attend to a putative common or national interest. Rather, collective deliberation is also a means by which to define and further solidify the various spheres of a differentiated polity. Not only does public deliberation serve to clarify and to obtain public recognition for group interests, in forging a *shared* consciousness, collective deliberation (*öffentliche Mitteilung*) differentiates even as it unifies. By taking part (*teilnehmen*) in public life, by having a share (*teilhaben*) in its outcome, individuals are able to develop an appreciation for the perspectival or partial nature of their own position, which, in turn, can accommodate openness to and appreciation of other perspectives.³¹ Kant defined pluralism as "the attitude of not being occupied with oneself as the whole world, but regarding and conducting oneself as a citizen of the world."³² Whatever might be said of Hegel's views of cosmopolitanism, it is clear that, in linking representation to a process of shared deliberative activity, he too seeks to account for the establishment and maintenance of a pluralist public sphere. Like Hannah Arendt, whose republican theory of political pluralism proceeds from the notion that we are "localized in the world which we have in common without owning it,"³³ Hegel, through his notion of political representation, advocates a view of politics that ratifies differentiation, even as it forges commonality.³⁴

II

The notion that Hegel advocates pluralism may still seem curious in light of his prioritizing of the idea of *Sittlichkeit* and the principle of a communal ethos that he claims underlies societal existence. All societal life must have recourse to an "ethical substance" that serves as the "ground and starting point for the action of all."³⁵ It would be a mistake, though, to assume that such appeal precludes sensitivity to pluralism. Indeed, far from contravening pluralism, appeal to a communal ethos accommodates its possibility. When Hegel invokes the idea of ethical substance, he is not championing the values or traditions of a particular community. In line with his decidedly modern concept of *Sittlichkeit*, his idea of a communal ethos is characterized rather by a collective commitment to the

general principles of a liberal-pluralistic-republican society and perhaps the very idea of a genuine political order. Following Michael Walzer, we might say that Hegel's is a pluralist ethos,³⁶ one characterized by a sociocultural commitment the values of individual rights, fairness, impartiality, tolerance, mutual respect, public debate, and a willingness to regulate action according to general principles.

A collective ethos of this sort is needed to counteract the threats to a modern polity, threats emanating from its own midst. It is needed to prevent modern society's commitment to individual liberty from becoming so one-sided that it undermines the institutional structures these presuppose. It is also needed to prevent institutional development from assuming such power that it undermines the liberties it is designed to facilitate. Hegel invokes the idea of an ethos to safeguard modern societies, to prevent any one component "from becoming a self-constituting and independent power."³⁷

So understood, Hegel's position may not appear much removed from Rawls's. Not only does Rawls also claim that the stability of modern society depends on a willingness of individuals to embrace the principles of a liberal polity, and not only does he claim that such embrace must be rooted in the values of the wider culture; with Hegel, he also employs the language of republicanism in explicating the nature of this shared public culture. "The safety of democratic liberties requires the active participation of citizens who possess the political virtues needed to maintain of constitutional regime."³⁸ In this respect, Rawls also speaks of a "duty of civility"—a public moral, albeit not legal, expectation that citizens exhibit "a willingness to listen to others and are fair-mindedness in deciding when accommodation of their views should reasonably be made."³⁹

Still, the differences between the two positions are significant. What characterizes a genuine political ethos, for Hegel, is a wide-reaching coordination of norms, laws, and institutional principles on the one hand, and everyday beliefs, values, and practices on the other. A notion of a political ethos conceived along these lines is not evident in Rawls's position, the concept of reflective equilibrium notwithstanding. In keeping with his "purely political" conception of justice, he demarcates all that associated with a political system of cooperation from the attitudes and practices found in the background culture. He also distinguishes valid norms from the conditions motivating their acceptance. "[T]he principles of justice detach reasons of justice not only from the ebb and flow of fluctuating wants and desires but even from sentiments and commitments."⁴⁰ It is true that Rawls does link his account of justice to a "reasonable moral psychology," one where social virtues are part and parcel of the "ordinary human world" of a reasonable society.⁴¹ These include "the willingness to propose fair terms of cooperation and to abide by them provided others do" and "the willingness to recognize the burdens of judgment and to accept their consequences for the use of public reason."⁴² Yet while Rawls's characterization of these virtues

is admirable, the fact remains that they are the virtues appropriate to the citizens of a reasonable political order, citizens who have already accepted its desirability.⁴³ Not adequately explained is the dynamic by which reasonableness and a reasonable political order are accepted in the first place. Nor is it clear how this can be properly explained, because assuming the “burdens of judgments” associated with citizenship consists precisely in suspending the private belief and attitudes one holds as an everyday member of society.

In response, Rawls relates the principles of the political justice to the values implicit in the political culture of a democratic society, a culture that includes appreciation of a “dualism” between private beliefs and public obligations.⁴⁴ Yet the function this intriguing claim performs in Rawls’s thought remains unclear. Given that the public culture is also characterized by “deep conflicts of political values and conflicts between these and nonpolitical value,” unqualified appeal cannot be made to the values of the existing culture. Instead, it is necessary to undertake a process of “abstraction,” to construct an “idealized” version of a system of social cooperation, one that citizens might embrace “on due reflection” but that does not correspond to existing forms of cultural self-consciousness.⁴⁵ Yet in asserting this distinction between real and ideal, between genuine political culture and the social background culture, Rawls again leaves unclear how norms of political justice may be embraced as a matter of everyday practice, how they can express the background “culture of daily life.”⁴⁶

For Hegel, however, the function of a political ethos is precisely to specify the connection between public principles and the attitudes and practices of everyday life, between the objective validity of norms and the conditions of their actual acceptance. It is to show variously how principles of right can also and simultaneously be construed as features of a historically existent “second nature.”⁴⁷ In particular, Hegel seeks to demonstrate both how public norms can be anchored in the wider political culture of a society and how, in turn, members of that society might be habitually disposed to accept and support them. Thus, on the one hand, while he acknowledges that norms have a meaning that is not reducible to the values of a particular culture, he also maintains that they cannot claim their status as norms unless they express the values of a particular community. For Hegel, norms—universal norms included—are rules and principles that human beings must impose or be able to impose on themselves. Norms have obligatory force only if individuals are free to act in accordance with them.

In this respect, Hegel’s position is not unlike Kant’s, and indeed he asserts that “the merit and exalted viewpoint of Kant’s moral philosophy” lies in its contention that “[i]n doing my duty I am with myself (*bei mir selbst*) and free.”⁴⁸ Unlike Kant, however, Hegel maintains that the capacity of individuals to impose norms on their conduct is not defined via adherence to formal principles valid for all individuals irrespective of motivational considerations. A norm, for Hegel, is self-imposed only if individuals actually

regard it as expressive of their own interests and values, only if they are indeed motivated to adopt it. "The universal does not attain validity of fulfillment without the interest, knowledge and volition of the particular."⁴⁹ Unless individuals are actually willing to adopt the norm for their conduct, it cannot claim binding force for that conduct.⁵⁰

And if Hegel asserts that norms must find expression in the values of a culture, he also seeks to show that that culture—and here he speaks of modern culture—is itself structured to accommodate and nurture dispositions supportive of the legal-moral norms and principles. Consider impartiality. Although Hegel claims that impartiality is a central principle of modern liberal-pluralist societies, he does not present it as a norm that requires suspension or bracketing of individuals' values and commitments. Such a view disregards the uniquely "ethical nature of modern civil society" (*die Sittlichkeit in der bürgerlichen Gesellschaft*).⁵¹ Modern civil society is notable not only in that permits the societal emergence of the ideal of impartiality, but that it has forged the conditions whereby this ideal can be embraced as a matter of everyday practice and conduct. Guided by a commitment to the thorough interdependence of individual and community, universal and particular, modern civil society has created the conditions wherein one is acculturated and habitually disposed "to regulate one's will according to universal principles."⁵² Hegel rejects Kant's abstract commitment to impartiality, but only because the modern world, with its systematic intertwining of universal and particular, is supportive of a type of cultural partiality to impartial judgment. Modern society has created the conditions whereby the principle of liberal neutrality itself can claim the status of a general societal value.⁵³

Hegel, to be sure, is aware of the illicit nature of any unqualified ascription of ethical culture to modern societies. More so than most theoreticians of political modernity, he is aware that modern society unleashes pathologies destructive equally of communal bonds and individual liberties. Modern society gives rise to a nexus of instrumentalism and bureaucratism tantamount to a *Verlust der Sittlichkeit*, a loss of the very ethical life it occasions. In this regard, Hegel would agree with Rawls, who, against what the latter terms "simple communitarianism,"⁵⁴ asserts that political philosophy must reconstruct rather than simply affirm values implicit in modern society. For Hegel, however, reconstruction does not consist in formulating a public political culture juxtaposed to the background culture of private individuals. If nothing else, this solution replicates the difficulties in question. His aim is rather to challenge the misconceptions and constricted forms of thinking contributing to modern pathologies. Proceeding from a systematic account of the modern concept of freedom, Hegel seeks to demonstrate the mutually implicative nature of such seeming oppositions as public and private, duty and inclination, and law and culture. Only through this more extensive reconstruction of the values implicit in modern culture is it possible to fashion the type of "comprehensive" ethos needed to ensure the "stability" of liberal-pluralist institutions.

Hegel's dispute with Rawls's reposes at root on the latter's affirmation of the "priority of the right of the good." Hegel is sufficiently tied to the tradition of modern political theory not to question the centrality of the concept of right. At the same time, however, appreciation of such centrality requires a corresponding assertion of the centrality of the good. Indeed, we might say that, for him, the two are coprimordial. If a focus on principles of political justice is central to societies characterized by a plurality of doctrinal beliefs and values, commitment to justice itself is tenuous unless that principle and those associated with it are collectively embraced and supported as valuable and desirable. While not fully disputing the view that the political stability of modern society requires subordinating the good to the right, Hegel also maintains that that same stability no less requires subordinating the right to the good. A well-ordered constitutional regime depends on the presence of a comprehensive public culture expressive of the sentiments and commitments of a citizenry routinely disposed to embrace reasons of justice as their own.

The point can be restated by briefly comparing Hegel and Rawls on religion. At one level, the two positions are remarkably similar. As Rawls himself notes, both see in Protestantism and modern religious conflict generally the basis for a notion of politics that is not only committed to the rights and liberties of the individual but also specifies principles of justice and cooperation that proceed from the absence of agreement on fundamental values. At the same time, however, Hegel would not accept Rawls's contention that the politics associated with Protestantism invalidates all public appeal to an emphatic conception of the common good. It may be true that politics revolving around a single doctrinal creed has been replaced by one focused on issues of right, liberty, tolerance, and the rule of law. What this means, though, is not the good has been displaced by the right but that a new conception of good has emerged, one needed for the stability of a modern political order. That order cannot be sustained over time unless it is rooted in an ethos supportive of its principles, an ethos in which modern principles of subjective freedom, mutual recognition, the rule of law, and the requirement of rational and universal legitimation are collectively recognized as good and desirable. For Hegel, self-consciously writing in a "Protestant cultural context,"⁵⁵ that ethos finds preeminent expression in Protestantism. Not only is it the source of many of these principles, as a generally accepted set of beliefs that both anchors such principles in everyday attitudes and practices and relates those beliefs and practices to the normative principles of modern polity; it exemplifies the idea of an ethos able to conjoin public norms and their motivational acceptance.

Hegel's, to be sure, is a distinctive and even heterodox vision of Protestantism: it encompasses reform Catholicism, is ecumenical, is critical of much of what was accepted by practicing Protestants, and has little, if anything, in common with traditional theism. Indeed, Hegel asserts that this "religion of freedom"⁵⁶ can take wholly secular shape and "need not assume the form of religion."⁵⁷ On the other hand, what Hegel did find attractive about Protestantism, on his understanding, is that it introduced not only

the principles of a modern liberal political order but the ethico-cultural conditions for its stability.

III

For his part, Rawls would likely say that any effort to accord public pride of place to principles of good is inimical to the very idea of political pluralism.⁵⁸ In a world characterized by diverse conceptions of the good, political philosophy must restrict itself to those principles of social cooperation that permit the private pursuit of individual conceptions of the good. Defining the conditions of a stable society in the modern world remains “a problem of political justice, not a problem of the highest good.”⁵⁹

For Hegel, though, the notion that societal commitment to a collective common good is antithetical to the reality of pluralism exemplifies precisely the dichotomous thinking he is determined to surmount. Two points are here in order. The first concerns the nature of the good. At issue is not a specific substantive value that invalidates appeals to other values. Hegel’s idea of the good connotes a type of metavalue or second-order value, one committed to the formal or procedural conditions for pluralist society itself.⁶⁰ Certainly, this is not to suggest that the highest good for Hegel reduces to a principle of liberal neutrality, a principle too “thin” to supply the desired motivation. It is the case that a modern political ethos is governed by commitment to certain substantive values. Yet this commitment has a decidedly reflexive character, focused on the conditions for pluralism itself. For Hegel, the basic communal value of modern, Western, and, with increasing interconnections, global society is *freedom* or *autonomy*, understood both privately and publicly.⁶¹ Only to the extent that this principle assumes the societal status of a principle of second nature is the long-term stability of a liberal-pluralist society comprehensible. Part and parcel of a society committed to value pluralism is the idea that goods are worthy of individual and social choice and this would not be possible without a prior cultural commitment to freedom as a common value.

Hegel’s point, however, is not just that his notion of a substantive good accommodates pluralist values. He claims further that support of such a good itself serves to foster and effectuate a pluralist society. Collective affirmation of the underlying norms of a liberal-pluralist society cannot rest content with a mere championing of a prescribed set of norms. Even if one might want to claim, as Rawls does, that the meaning of basic constitutional norms or “essentials” are fixed “once and for all,”⁶² their effectiveness and ongoing legitimacy is linked to processes by which they are applied to specific societal circumstances.⁶³ Yet processes of application are never univocal; they are instead always subject to differences in interpretation. This means, though, that the affirmation of such norms is perforce an affirmation of pluralism, for the meaning of norms in their concrete application cannot properly be detailed without acknowledging and accommodating the diverse views and beliefs surrounding that meaning.

Moreover, such differences can begin to obtain proper resolution only in the context of a process of shared deliberation that itself gives voice to the diversity of views present in a society. Only such inclusive deliberation does justice to the idea of a *Volksgeist* characterized under modern conditions by its internal differentiation. Nor can such deliberation ever achieve closure. Given the “endlessly increasing diversity and complexity . . . of the material of civil society”⁶⁴ to which norms are applied, processes by which a culture interprets its basic values are necessarily ongoing and open-ended. It is not coincidental that, when speaking of legal adjudication, Hegel ultimately appeals not to the “limited” right of positive law, but to the “unrestricted” right of world history.⁶⁵ Even if he might affirm a common substantive value for modern societies, that affirmation itself triggers diversity engendering processes of interpretation, mandates pluralist forms of public deliberation, and forges an openness to new and different perspectives.

In this regard, Hegel proffers a conception of politics clearly distinct from that of Rawls. Politics, for Hegel, focuses on more than the conditions for fair and just social cooperation among individuals in pluralist societies. It attends as well, and perhaps preeminently, to issues of collective identity, to processes by which a culture defines itself and its most basic values. At stake, however, is not an affirmation of some established ethos homogeneously infusing diverse practices, beliefs, and policies. Such a view might be required if one followed Rawls in juxtaposing a basic political structure to the forms of social life whose relationship that structure is assumed to facilitate. This is not Hegel's position. Given his focus on the need for ongoing application, politics is the process by which the identity of a culture—the spirit of a people—is routinely reshaped and “renewed” (*verjüngert*),⁶⁶ it is the process by which the relationship between institutional norms and popular sentiment is recalibrated and reaffirmed. Yet inasmuch as processes of collective reassessment both depend on and trigger diversity in interpretation, attention to matters of collective identity is perforce affirmation of plural forces and tendencies—the very items that comprehensiveness in politics is presumed to undermine. Indeed, given that a politics committed to collective self-definition can subject to debate and deliberative scrutiny the central norms and values of society, it is arguably more hospitable to pluralism than is a notion of politics that, in its effort to safeguard pluralism, seeks to specify *ab ovo* underlying constitutional essentials.

IV

Let us conclude by noting a final distinction between Hegel and Rawls. Proceeding from the “fact” of pluralism, Rawls claims that conflicts over fundamental values are in modern societies essentially irreconcilable. Political philosophy is indeed restricted to the question: “How is a just and free society possible under conditions of deep doctrinal conflict with no prospect of resolution?”⁶⁷ While the idea of reasonable pluralism attends to what is

common in diverse values system, the very need for a common framework flows from the notion that conflictual differences are insurmountable. In this regard, Rawls seconds Isaiah Berlin's "tragic" vision of modern social relations: "That there is no social world without loss is rooted in the nature and values of the world, and much human tragedy reflects just that."⁶⁸

This is not Hegel's position. While he is at least as aware as Rawls of the conflictual or "bifurcated" nature of modern societies, he does not regard such oppositions as an ontological fixture of social reality, a type of quasi-natural fact of modern life. In keeping with his criticism of appeals to immediacy, he regularly asserts that modern oppositions must be viewed against the backdrop of certain commonalities, commonalities that to some degree allow for their possibility. With Rousseau, for instance, he argues that modern social oppositions are as much the consequence as the cause of the uniformizing tendencies of modern institutions. In establishing a common framework that encourages individuals to compare themselves with others, modern legal structures, with their focus of formality and uniformity, spawn a drive for further refinement, distinction, and differentiation.⁶⁹

In addition, and more apposite here, Hegel maintains that oppositions are themselves the expression of a more fundamental social unity. While Hegel may understand modern life as essentially tragic, he does so with regard to a modern notion of tragedy, one where conflicts express not two radically incompatible principles but one principle at odds with itself. Forefronting *Hamlet* or *King Lear* rather than *Antigone*, he argues that modern tragedy focuses not on the opposition of two incommensurable ethical powers (*sittliche Mächte*), but on *die Tragödie im Sittlichen*, the tragedy internal to a single ethical principle. Tragedy now describes the process by which a totality sacrifices "a part of itself."⁷⁰ Accordingly, many of the conflicts that beset modern life—individual and community, public and private, self and other, reason and sensibility—are not to be understood as diametrically opposed polarities, but as consequences of a common framework that accounts for their very meaning and reality. Thus, for instance, a social world infused with a commitment to the principle of freedom contributes to the modern "dialectic" of individual and community. This principle gives expression to an individualism whose protection mandates structures of law and justice, whose developed size and scope in turn undermine the very freedom they are designed to protect.⁷¹

Recognition of the degree to which conflict may also express common identity is important in that it serves to call into question the notion that conflicts are irremediably irreconcilable. Understanding the modern, bifurcated world as a world "alienated from itself" gives rise to "the demand that such contradiction be resolved."⁷² To be sure, Hegel is not proposing that conflict can or should be eliminated. As already noted, he claims that differentiation is central to the vitality and legitimacy of a modern social order. What Hegel does argue is that the opposition between political unity and social disagreement, identity and difference, be construed in a manner less severe than is the case with Rawls.

Among other things, this means that an effort must be made to note the commonalities of seeming opposites and to demonstrate the mutually implicative nature of concepts such as individual and community, self and other, public and private, duty and inclination, reason and sensibility, and the right and the good. Similarly, Hegel's "dialectical" view of the identity/difference relationship mandates a more capacious notion of political discourse. In noting a possible common ground for seemingly intractable oppositions, Hegel provides a mechanism and rationale for collective deliberation that accommodates and is sustained by markedly different values and doctrines. Such deliberation may not lead to consensus. Yet its possibility does demonstrate that the fact of modern pluralism in no way precludes a comprehensive politics, one attentive to the common ends of human and social life. Hegel once wrote: "According to Napoleon, . . . modern is distinct from classical tragedy in that what in the past was understood as fate is now a matter of politics."⁷³ In like manner, he claims that the nature of modern social oppositions is such that conflicts are not *in principle* irreconcilable, and that forging some measure of common identity while also accentuating social and cultural diversity is a central, if not the central, task of modern political action.

Part II

Modernity and Secularity

6 Hegel and the Doctrine of Expressivism

Contemporary criticisms of modern thought and culture often invoke the concept of expressivism. Although variously construed, expressivism generally is a view of reason, humans, and their world opposed to Enlightenment dichotomies. According to the expressivist doctrine, man and world are not abstractly juxtaposed but integrally interrelated: individuals exist as parts of a broader whole, just as the world is the plane for their self-realization and self-discovery. Similarly, norms of rationality are not abstractly contraposed to particular forms of life but deemed to have meaning and reality only in expressing existing social practices.

In recent years, many writers have identified the expressivist doctrine with Hegel's philosophy. Hegel is said to believe that self-realization requires external embodiment, that norms are meaningful only in expressing the exigencies of a form of life, that individuals have identity only in community, that human experience expresses a larger order of being and can find fulfillment only in nurturing ties to that order. In his 1975 *Hegel*, Charles Taylor presented a view of Hegel that incorporated features of all these themes.¹ Since the publication of this important and influential work, others have advanced interpretations of Hegel that highlight individual components of the expressivist doctrine.²

In this chapter, I challenge the expressivist reading of Hegelian thought, focusing on two versions of expressivism, the subjective and the objective.³ While not disputing that Hegel sought to surmount Enlightenment dichotomies, I argue that with regard to both versions, his specific solution cannot be construed through the concept of expressivism. My aim is to clarify the nature and import of what in fact is Hegel's *non-expressivist* approach to modern dualisms.⁴ I also seek to promote a clearer understanding of Hegel's treatment of the problems and prospects of modern reason.

I

1. We begin by considering what may be called the *subjective* version of Hegelian expressivism. Subjective expressivism is the thesis that something

finds realization by manifesting itself in a given medium.⁵ According to Taylor, this doctrine is particularly important in Hegel's account of self-realization. In Hegel's view, Taylor claims, individuals realize themselves by embodying their purposes in external reality. Such externalization is understood, however, not just as the means to concretize given purposes but to clarify purposes themselves. In this way, expressivism for Hegel is the backbone of an emphatic account of self-realization, one in which externalization constitutes the very nature and identity of the self.

This view seems uncontroversial, for Hegel does adopt a view of self-realization defined in terms of self-objectification. But his position is misconstrued when self-objectification is understood, as it is in the expressivist reading, as externalization and manifestation in a given medium. This view is above all problematic because it misrepresents the specific dimension of Hegelian self-realization. Self-realization, for Hegel, is realization of the self's essential nature. The nature of self is freedom. Freedom is defined as complete self-dependence and self-sufficiency—that which “does not find its content outside itself, but makes itself its own object and its own content.”⁶ In this sense, Hegel defines the self in opposition to all externality, indeed as “inwardness” (*Innerlichkeit*).⁷ Accordingly, he presents self-realization not as a process of externalization but in fact as the systematic purgation of all externality, as elimination of that which inhibits absolute self-sufficiency. Self-realization is the process by which the subject “withdraws out of the external into its inwardness with itself.”⁸

Hegel is, to be sure, opposed to a romantic notion of self-realization,⁹ one based on a “withdrawal into pure inwardness.”¹⁰ He acknowledges that external expression is necessary for any genuine self-actualization. Precisely because the self realizes itself only in attaining absolute self-sufficiency, it must be able to find and maintain itself in the various external conditions of its existence. External manifestation is a condition of achieved selfhood. Still, externalization is not the goal of self-realization but a necessary stage in a process that only achieves its end in overcoming all externality. The self attains full self-sufficiency only when it can represent all external conditions of existence wholly as a product of its own activity. While Hegel asserts, against romantics, that external manifestation is central to “absolute inward autonomy,” he does so only because the self cannot attain full self-dependence unless it explicitly “refuses to allow something that has the character of outwardness to be preserved in, and be valid for, it.”¹¹ If Hegel champions self-realization as externality, it is only because he understands externalization in the literal sense—as the alienation, expulsion, or *Ent-äußerung* of external reality itself. Only this sense of externalization comports with a notion of autonomy that requires the self to “throw off all that is natural in it.”¹²

On occasion, Hegel does appear to espouse a notion of self-realization defined chiefly in terms of external embodiment. This is particularly the case in his political and historical writings, where freedom is realized

through the concrescence of a concept that initially possesses only a potential significance. The will, for instance, is free not as a general capacity but only when embodied in historically achieved conditions, those that present the willing subject with objects and choice that accord with dignity and autonomy. As Hegel writes: "the will is free not only in itself but for itself also."¹³

Even here, however, externalization does not capture the full nature of what, for Hegel, is self-realization. This is so not just because any genuine externalization of freedom—that is, reworking of volitional objects so that they accord with autonomy—is itself an affirmation of "inwardness itself."¹⁴ What merits emphasis here is that objectified freedom is not synonymous with freedom fully realized. Complete autonomy requires that something not only be free but be able to comprehend this freedom. To be free without such comprehension is to have one's nature specified exogenously, through external reflection, and thus to be subject to a determination alien to the notion of freedom. Fully realized freedom requires that the subject possess an understanding of the nature and meaning of both its object and activity—an understanding achieved only through self-knowledge and self-reflection. In other words, here, too, self-realization is an interiorizing rather than exteriorizing affair. While externalization describes a process by which what is true in principle also becomes true for itself, full autonomy is only achieved when this "for itself" also becomes "for itself" (*für sich selbst für sich ist*).¹⁵ As Hegel also writes: "The most important point for the nature of spirit is not only the relation of what is *in itself* to what it is *actually*, but the relation of what *knows itself* to be to what it actually is."¹⁶

In this context, it is not coincidental that Hegel locates the highest expression of freedom in the domain of absolute rather than objective spirit.¹⁷ What characterizes the absolute spheres of art, religion, and philosophy is precisely their inward autonomy. Whereas objective spirit attends to spirit as realized in the externally conditioned realm of space and time, absolute or "self-apprehending" spirit is conceived precisely through its freedom from such externality. In the cultural domains, spirit is fully self-dependent and at one with itself: the object of reflection is nothing but the self-apprehending activity of the subject, just as this activity is nothing but the object's proper mode of being.¹⁸ To be sure, here, too, Hegel is uninterested in any romantic juxtaposition of inner and outer. Precisely because art, religion, and philosophy proceed from socially held and historically evolved beliefs and values, they presuppose the forms of external realization appropriate to the domain of objective spirit. The "self-consciousness of absolute spirit" is possible only "through the mediation of finite spirit."¹⁹ Still, freedom finds its complete or "infinite" realization only when received assumptions are cleansed of adventitious admixture and explicitly represented as cultural objects. Only in the self-apprehending domains of art, religion, and philosophy do modes of human self-definition assume a reality appropriate

to their own nature. As in his logical writings, Hegel maintains here, too, that self-realization is best construed as a process of interiorization (*Erinnerung*), and indeed in the literal sense of a re-membling that, like Plato's *anamnesis*, conduces to true being.²⁰

None of this should suggest that Hegelian self-realization is not also a process of self-objectification. Hegel's thesis is simply that the self does not find objectivity by manifesting or expressing itself in an external medium.²¹ In keeping with the priority on interiorization, self-production is preeminently a matter of self-knowledge. "[E]verything depends on spirit's self-awareness; if spirit knows that it is free, it is altogether different from what would be without this knowledge."²² In Hegel's ontology, concreteness only emerges from the conjunction of reason and reality, substance and subjectivity, and thought and being. Inasmuch as freedom subsists and attains reality only through self-knowledge, self-reflection is the condition for spirit's very objectivity. "[B]ecause spirit is essentially consciousness, this self-knowing is a fundamental determination of its *actuality*."²³ For Hegel, self-realization is the activity in which the subject "brings about its own actuality," in which it "realize[s] itself without the help of a material that exists outside it."²⁴ Hegel may occasionally describe concretization as a process of external expression: "The power of Spirit is only as great as its expression" (*Äußerung*).²⁵ At issue, however, is spirit's capacity not to shape an external medium but to give itself reality through its own self-reflective resources. Self-objectification is a matter of interiorization. "[T]hat which withdraws itself into the simplest depth is the mightiest and most all embracing" (*Übergreifendste*).²⁶

2. The difficulties associated with ascribing to Hegel a form of subjective expressivism can be further illustrated by considering his theory of action, which has often been construed in expressivist terms. In keeping with his general treatment of Hegel's philosophy, Taylor advanced an expressivist reading of Hegel's theory of action.²⁷ In what follows, however, I focus on the more recent formulation proffered by Robert B. Pippin, who presents an expressivist account of Hegel's theory of action in conjunction with his general effort to explicate the nature and merit of Hegel's practical philosophy.²⁸ Pippin claims that Hegel shares with many action theorists today the determination to construe actions in terms of agent reasons, intentions, and purposes, rather than external causes. But Hegel is unique for Pippin in that he advances an expressivist conception of intention-based agency. On Pippin's view, intentions do not denote discrete *ex ante* mental states; nor is action itself the phenomenon of inner states exerting a causal effect on an external entity. Instead, action designates a process through which agents shape and discover their intentions and themselves through engagement in and with the world. For Pippin, this expressivist reading finds its most distinctive articulation in Hegel's account of a "social theory of agency,"²⁹ for the process of self-understanding and self-discovery is best clarified with

reference to the public norms and societal forms of recognition that give meaning and reality to subjective agency.

As a general matter much is correct in this analysis. Although Hegel does construe action with reference to subjective intentions and purposes, he rejects any merely introspective account of mental life; he claims further that any account of inner experience cannot be demarcated from external embodiment but depends on the latter for its meaning and reality. He asserts as well that the external conditions of agency are intertwined with a robust notion of social or communal life. It is questionable, however, if any of this warrants the conclusion that Hegel advocates a specifically expressivist conception of action. The contention here is rather that considerations of embodiment, objectification, externalization, and expression, while certainly a part of an Hegelian account of agency, are themselves components of a more basic commitment to processes of inwardization and interiorization, those meant to liberate subjectivity from external determination and in a way that enriches, consolidates, and vindicates its claims to individual autonomy. Appreciation of this point is important as it sheds light not only on Hegel's theory of action but his notion of ethical life and the civic sentiment he claims is needed to sustain it.

Hegel explicates the concept of action in his account of morality, the middle section in his theory of objective spirit—between abstract right or legality and ethical life. It is fitting that action theory is included here, for while morality does attend, as does legality, to the normative underpinnings of individual conduct, it does so with reference, not to objective rules governing conditions of individual liberty, but to the motives and intentions that inform conduct. In Hegel's terminology, morality encompasses the "right of subjectivity" and its claim that individuals are held accountable only for those occurrences and circumstances that are expressive of their knowledge and will.

In thus asserting the conjunction of morality and subjectivity, Hegel of course locates himself within the tradition of modern practical philosophy, particularly as articulated by Kant. But against Kant, Hegel does not contrapose moral subjectivity to the particular needs, wants, and desires of individuals. Rather, reference to such "heteronomous" considerations is part of the right of subjectivity itself, understood by Hegel especially with reference to Protestant Christianity. Central to the dignity of the moral subject is precisely "the right of the subject to find its satisfactions in the action."³⁰ Moreover, the commitment to particularity entailed by the concept of subjectivity itself—understood as a relationship of selfhood in otherness—requires for its own autonomy a capacity to find objectification in what is other than itself. Both reflect a notion of action defined "as the expression of the will as subjective or moral."³¹

At the same time, it would be wrong to exaggerate the moment of embodiment and externalization in Hegel's conception of agency; it would be incorrect to do so even with regard to action itself. While external

embodiment is a central component of action, it does not articulate the idea of action itself, which itself attains reality only to the extent that the agent can apprehend the external content as an articulation of its identity. In action, an agent must regard external determinations as “its inward institutions, its own, and willed by it” (*diese Bestimmungen innerlich als die seinigen gesetzt und von ihm gewollt*).³² Only in this reflexive appropriation do events experienced by the agent become actions proper, expressions of his or her own subjectivity. I sketch this internalization process by briefly summarizing the progression in Hegel’s account of morality from value, though welfare, right, and good to conscience, the highest form of action. I also note that while true conscience, or ethical disposition (*sittliche Gesinnung*), depends on existing norms and practices for its meaning and intelligibility, these in turn are dependent on their reflective endorsement by the former.

To be begin with, Hegel asserts that what counts in action is not the “external existence”³³ itself but the degree to which it is assigned particular value (*Wert*) for the subject. Only in such qualitative evaluation do particular worldly encounters, open as they are to multiple interpretations, assume the subjective meaning required of a theory of action. Furthermore, to determine the value that an action does hold for a particular agent, it is not enough simply to attend to the value of one specific embodiment of will. An individual act can be understood as meaningful only if construed as expression of a wider set of values, those that articulate the larger value-scheme of an agent. In Hegel’s language, and here he follows Aristotle, actions are subjectively meaningful only as they express a wider sense of felicity or well-being (*Wohl*), where particular “needs, interests, and aims” are “comprehended in a single aim.”³⁴

For Hegel, however, a theory of action cannot rest content simply with a notion of individual well-being, however much that might contribute to the singularity of purpose required of a general account of moral agency. Reliance on well-being or felicity remains limited to the welfare of a particular individual, whereas a truly comprehensive account of welfare, one properly committed to the proper embodiment of the moral will, must attend to the “welfare of others” and the “welfare of all,”³⁵ what Hegel also calls the “universal welfare.”³⁶ Indeed, at this stage, individual welfare is properly conceived—here Hegel rejects any rigid distinction between teleological and deontological considerations—not just as welfare but right as well. More so that welfare itself, the idea of right—in particular, a system of right—provides the framework to ensure the welfare or well-being of all.

With regard to the concept of action, Hegel explicates the notion of universal welfare or right via the concept of the good, which comprises the final part of the section on morality in his general theory of objective spirit. He calls the good the “absolute and ultimate end of the world,”³⁷ and this is fitting. Not only is the good, as an object of volitional agency,

an end that has genuinely universal application; it entails a commitment to an idea of welfare that supplants a notion of value restricted to the needs and interests of particular individuals with one that is unconditionally or intrinsically valid, one valid *per se*. The good thematizes “not just the relative value of action but its universal value.”³⁸

Yet in assigning it intrinsic value, Hegel does not juxtapose the good to the will of particular individuals. This is precluded by the nature of the good itself, which as the “absolute” end of the world itself subsists in the mediation of subjective intention and objectively realized end, individual welfare and objective norms. It may be that individual well-being is not good without the right, but it is also the case that “right is not the good without welfare.”³⁹ Hegel’s point though is not just that the good integrates subjective and objective considerations. His more emphatic claim—one consistent with a commitment to the right of subjectivity that informs his account of moral agency—is that subjectivity is ontologically central to the good itself. Precisely as “the universal which has being in and for itself,”⁴⁰ the good claims objective reality only to the degree that individuals make it the object of their will. “[T]he good itself, without the subjective will, is only an abstraction, devoid of that reality which it is destined to achieve only through the subjective will.”⁴¹

In thus invoking subjectivity, Hegel, to be sure, does not appeal to the subject in its simple immediacy. Required instead is a “cultivated” notion of subjectivity, one adequate to a notion of good itself constituted in the progressive surmounting of forms of immediacy in the intentional object. In particular, Hegel invokes the concept of “universal subjectivity,” one defined by its “positive reference to the will of the other.”⁴² The idea of realized good depends on a consciousness in which “universal welfare” is itself the aim of individual volition and the content of individual well-being. Nor is the idea of universal subjectivity itself a concept that Hegel simply invokes. Consonant with his general account of self-formation, the consciousness denoted by the idea of universal subjectivity is forged only through processes of external embodiment. It is through such objectification that individuals encounter other wills and in this way fashion the modes of “relation to the will of others”⁴³ that undergird conceptions of right and universal welfare.

Yet if the formation of a subjectivity properly attentive of the will of others does depend on external embodiment, embodiment is not the source of subjectivity itself. Instead, a universal notion of subjectivity can be definitively forged only in the reflective reappropriation and rearticulation of what is experienced externally. An emphatic reference to the will of the other is fashioned only when subjectivity moves beyond mere acknowledgement of the existence of the other (a concern appropriate to abstract right and formal legality) to the recognition that its own welfare is intertwined with that of the other and indeed to the recognition of “this identity of my will and the will of others within it.”⁴⁴ At issue,

though, is not simply an acknowledgement that my will and well-being are conjoined with that of another. Nor is it that my will depends on fostering the will of another. Universal subjectivity is fully attained only when individuals will the universal will itself, and in particular a social order itself based on mutuality and reciprocity.

Furthermore, given that the realized good is just the idea of a universal welfare comprised of individuals each willing one another's welfare even as they will their own, it exists only through universal subjectivity, a complex and differentiated notion that not only incorporates conscious reference to the other but is itself the internalized reference to what is universal. Hegel's theory of moral agency certainly requires externalization, but the latter is part of an interiorization process directed to fostering and realizing the subject's internal self-determination. Nor does appeal to inwardness militate against a notion of action focused on the externalizations of the moral subject. In the case of the realized good, the objective content in question—a world infused with a commitment on the part of individuals to the welfare of all—is identical with intentionality itself. With the realized good, characterized as “internally reflected will,”⁴⁵ the intention is itself “the universal content of the action.”⁴⁶

Hegel's account of the relation of subjectivity, moral agency and the good exhibits clear affinities to that of Kant, whom Hegel praises in his discussion of morality. Kant also maintained that the good is the proper focus of moral agency; he understood the good in terms of universalizable norms and values; he advanced an account of the supreme good construed as the worldly realization of freedom; he understood moral agency in terms of processes of self-determination and self-legislation; and he claimed that the object domain of morality attains full reality only through ethical insight.

Yet Hegel is also critical of Kant's position, above all its identification of the good with the concept of duty. While the concept duty is, for Hegel, a component of any proper account of the good, its employment by Kant is predicated on the type of abstract opposition of moral norms and individual well-being whose supersession is the point of Hegel's general theory of moral agency. With this opposition, Kant cannot properly account for the realized good, a notion of universal welfare that subsists only to the degree to which individuals embrace universal ends as their own. Kant also cannot account for the requisite consciousness of the good, in which one knows and wills the good as a component of one's own self-identity. Nor can Kant account for action itself, which involves the expression of the moral will in the domain of an externally determined reality.

For his part, then, Hegel asserts that the idea of good is best understood, not through duty, but through conscience, that “exalted point of view”⁴⁷ that concludes his treatment of morality and moral agency.⁴⁸ Drawing on theories of Fichte and Jacobi, Hegel construes conscience as a moral phenomenon able to surmount the dualities that beset Kant's deontological

conception of the good. In conscience affirmation of objective principles of right and duty is simultaneously expression of the convictions of a particular individual. With conscience (*Gewissen*), cognition (*Wissen*) of what is objectively good is equally a form of internal self-certainty (*Gewissheit*). Conscience denotes a “subjective self-consciousness” able to know “in itself and from itself what right and duty are.”⁴⁹ In addition, conscience is the moral phenomenon in which commitment to what is good and right is the motivating principle of individual agency. Conscience represents “the disposition (*Gesinnung*) to will what is good in and for itself.”⁵⁰ Conscience—literally “knowledge with” (*con-scientia*)—is a commitment on the part of the particular individual to the welfare of all and to the idea of universal welfare itself, yet in a way in which attention to the well-being of others is constitutive both of an individual’s self-conception and his or her own conception of well-being.

The phenomenon of conscience is also significant, for Hegel, in that it effectively articulates the concept of the realized good and the mode of agency it entails. As a form of subjective self-consciousness able to know right and duty not only in “itself but from itself,”⁵¹ conscience contributes to the actualization of the good itself, whose “in and for itself validity” depends on its endorsement and acceptance in subjective self-consciousness. Indeed, to the extent that conscience does actualize the good, it plays a central role in a theory of agency whose function is just to restate what is present in existent reality in a way that conforms to the requirements of moral subjectivity. Conscience denotes the form of “action qua actualization.”⁵²

Yet conscience also gives expression to a productive, generative, or “determinative” notion of action,⁵³ one—in keeping with Hegel’s general conception of moral subjectivity—that is emphatically self-determining. Indeed, what characterizes the agency of conscience, also defined as “the absolute inward certainty of itself” (*die absolute Gewißheit ihrer selbst*), is that it has itself as its own object. It is the “infinite and inwardly knowing subjectivity which determines its content within itself” (*in sich wissende und in sich den Inhalt bestimmende unendliche Subjektivität*).⁵⁴ The person of conscience apprehends him or herself as a conscientious agent, and conscientious agency is itself the worldly realization of what is right and good. Conscience “is itself its own end” (*in ihm selbst Selbstzweck*).⁵⁵

Conscience thus plays an important role in Hegel’s theory of action and moral agency generally. Not only does conscience give expression to the two central components of Hegel’s theory of moral agency: subjective self-determination and objective realization of ethicality. It exemplifies the nature of action itself, which attains full articulation in the conjunction of inner and outer, intention and content.⁵⁶ Indeed, as the full interpenetration of intent and deed, conscience is “simple action itself.” The person of conscience “knows and does what is concretely right.”⁵⁷

These considerations make clear the centrality of interiorization to Hegel's conception of action. As noted, action, for Hegel, is "expression of will as *subjective* or *moral*."⁵⁸ What this connotes, however, is not simply the embodiment of the will in external existence. While a complete notion of freedom does require that the subject find itself in the external conditions of its existence, this very requirement entails that agency take the form of an interiorization process wherein what the subject initially confronts as externally conditioned expressions of itself are progressively rearticulated as explicit posits of itself. Concretizing the right of subjectivity, action engages an external content that the subject "only admits as its own and allows to be imputed to it, so much as it has consciously willed."⁵⁹ Hegel traces the interiorization process through analysis of the concepts of value, well-being, universal well-being, right, and the good. Yet the process finds its most complete expression in the concept of conscience, termed by Hegel the "deepest inner solitude within oneself in which all external and all limitation have disappeared."⁶⁰ It is with conscience, "the total withdrawal into the self," wherein the objective norms of the right and the good are understood as fully rooted in the will of the particular moral subject.

Hegel characterizes the inward trajectory fashioned through conscience as a process in which the subject "evaporates into itself all determinate aspects of right, duty, and existence."⁶¹ Yet this evaporation process is not an affirmation of mere subjectivity. Rather—and in keeping with the surmounting of the distinction between inner and outer that Hegel associates with action—conscientious subjectivity is at the same time affirmation and generation of the objectivity of the good. Inasmuch as the object of conscience is conscientiousness itself, conscience, in its character of "the subjectivity of self-consciousness,"⁶² is constitutive of the actuality of the realized good. Conscience is the "infinite and inwardly knowing subjectivity which determines its content within itself."⁶³

Action theory, for Hegel, may thus culminate in an evaporating withdrawal into subjectivity, but this is also a process of objectification—that "power (*Macht*) to which the good, which is at first only a conception and something which should be, owes its *actuality*."⁶⁴ Conscience is "the power to bring the good to reality through action."⁶⁵ This identification of action with conscience—and thus the view that the objective reality of good is tied to "infinite" self-certainty—is consistent with Hegel's general claim: "Everything which arises in the ethical realm (*Sittlichkeit*) is produced (*hervorgebracht*) through this activity of spirit."⁶⁶ It is also basic in his prioritizing inwardness for an account of agency itself: "what someone does must be considered not in its immediacy, but only as mediated through his inwardness and as a manifestation of it."⁶⁷

None of this is to suggest that Hegel is not also highly critical of the phenomenon of conscience. While conscience may take the form of a genuine commitment to the good, it does not do so necessarily. Indeed,

to the extent that conscience is construed from the standpoint of the individual moral subject, such commitment remains wholly contingent. Given that determination of what counts as good remains the province of a particular subject, such “formal conscience,” as Hegel calls it, can also contravene a realized notion of the good. It can, for instance, take the form of hypocrisy, where publicly valued ends are invoked simply to advance private ends; or it can take the form of evil itself, where what is understood and advanced as good is the denial of any properly construed notion of universal well-being.

If conscience is to assume “genuine” expression, it must be restated in terms of objective conceptions of value, those that derive not from the will of the individual subject but from the communally accepted norms and principles connoted by ethical life. Only with reference to publicly acknowledged norms of what counts as right and good can moral agency properly facilitate realization of an objectively valid notion of the good. Indeed, Hegel maintains that action itself possesses meaning and reality only with reference to publicly recognized norms of conduct. In advancing an expressivist reading of Hegel’s conception of agency, Pippin emphasizes just this point, calling attention to Hegel’s claim that action is “the translation of its individual content into the objective element, in which it is universal and recognized, and it is just the fact that it is recognized that makes the deed a reality.”⁶⁸

Yet acknowledgement of the dependency of human agency on institutional norms and public forms of recognition is not to say that Hegel’s conception of action is an expressivist one after all. On the contrary, here too inwardness and interiorization remains central to Hegel’s account. While agency does depend on publicly recognized norms of conduct, these norms themselves—in keeping with the doctrine of the right of subjectivity—have meaning for an agent only to the extent that he or she is able to acknowledge their application to the conditions of his or her life. Agency does entail a dependency on institutional norms of rationality, but such dependency itself requires that agents reflectively acknowledge and affirm that dependency.⁶⁹

Certainly, agency depends on a “state of being recognized” (*Anerkanntsein*), yet as an external set of norms, such *Anerkanntsein* possesses only formal or “implicit” (*an sich*) validity.⁷⁰ Full reality requires a cognitive state that is “for itself” as well, one in public norms of agency are themselves recognized, both epistemically and volitionally. In a realized ethicality, individuals “knowingly and willingly recognize this universal interest as their own substantial spirit, and actively pursue it as their ultimate end.”⁷¹ Indeed, far from minimizing this subjective dimension, Hegel holds that agency requires appeal to a particular form of self-awareness (*Selbstgefühl*), “a universal self-consciousness,” where positive reference to the other is constitutive of one’s own self-identity. At issue is what in the 1807 *Phenomenology* he calls “a universal knowing and willing which

recognizes and acknowledges others,"⁷² one where explicit acknowledgment of one's dependence on others and communal life generally is required for a developed sense of self.⁷³

To be sure, in invoking such self-consciousness, Hegel again is not appealing to an originary or preexisting sense of self. A *universal* notion of subjective self-consciousness is one forged in and through processes of reciprocal recognition, where individuals recognize their dependence on the other and, in so doing, develop an appropriately mediated and differentiated sense of self. Hegel refers to this process as "this universal reappearance of self-consciousness" (*Dies allgemeine Wiederscheinen des Selbstbewußtseins*),⁷⁴ where an expanded self-conception only emerges in engagement with others. Yet the notion that a genuine form of self-consciousness results from processes of reciprocal recognition only reaffirms the degree to which Hegel's notion of autonomous self-identity is linked to structures of interiorization, where the subject explicitly affirms its dependency and thereby constitutes its universality. The universal reappearance of self-consciousness connotes that which "is aware of itself in its objectivity as a subjectivity identical within itself and for that reason universal."⁷⁵

In explicating such subjectivity, Hegel claims that it is the "substance of all true mental or spiritual life,"⁷⁶ yet he does not thereby mean that it is simply an essence underlying ethicality, the suggestion of the English translation notwithstanding. Rather, he maintains, in keeping with the focus on interiorization, that universal subjectivity constitutes the very reality of the domain of ethical life. Proceeding from a concept of spirit defined as the unity of substance and subjectivity, Hegel holds that community fully exists only in the subjective endorsement of objective norms and values, even as those values are central to characterization of what counts as legitimate agency. "It is the self-awareness of individuals which constitutes the actuality of the state."⁷⁷

This, to be sure, is not to champion what Pippin criticizes as the "liberal" notion of social life, one based on a preexisting notion of self that exhibits an instrumental relation to communal relations. Pippin is correct to note that, for Hegel, autonomous identity is to be understood as an "achievement,"⁷⁸ wherein the individual attains selfhood only via existing forms of recognition. Self-identity is to be understood via an account of "recognitional dependence."⁷⁹ Yet, for Hegel, it is also the case that relations of recognition must themselves be subjectively recognized, the achievement itself subjectively achieved. One individual can be properly recognized by another only if the other's recognition is freely given, and yet that recognition itself can be so given only if the other is properly recognized as other. Recognition requires that individuals "recognize themselves as mutually recognizing one another."⁸⁰

In addition, relations of mutual recognition can themselves be fully efficacious only if individuals appreciate and support the recognitive relations themselves. In line with a notion of dialectics understood as "the posited

dialectic of itself" (*gesetzte Dialektik ihrer selbst*),⁸¹ the relations of recognition that shape individuals must also be shaped, cognitively as performatively, by the individuals themselves. For Hegel, relations of mediation must themselves be mediated.⁸² As with his account of rationality generally, recognitive relations attest to a circle of circle in which the modes of recognition constituting individuals are themselves constituted. At issue is indeed an "I" that is 'We,' and 'We' that is 'I.'"⁸³

Hegel's notion of ethicality thus can be said to depend on its "reflective endorsement"⁸⁴ by societal members, Pippin's qualms notwithstanding. Yet reflectivity in this cases does not entail commitment to a cognizing subject abstractly contraposed to the realities of social life. This view fails to appreciate the mediated character of moral subjectivity. It also fails to appreciate the mediated nature of ethicality itself. Ethicality is not simply a set of implicit background assumptions that infuse moral conduct and shape social practices.⁸⁵ In its complete expression ethicality is "self-conscious ethical life,"⁸⁶ which, as with Hegel's account of holism generally, finds proper reality only as individuals, cognitively and volitionally, accept and identify with the whole. Ethicality does depend on its rational endorsement by moral subjects; yet far from subsisting as a cognitive mode alien to ethical life, such endorsement is both internal and essential to the substance of ethical life itself.

Hegel understands action in terms of processes of external embodiment. Yet he does not conceive action itself in expressivist terms. Proceeding from a conception of action defined as the "expression of will as subjective or moral," he regards the externalizations associated with agency as part of a more basic process of interiorization directed equally to the reflexive cultivation of moral subjectivity and the objective realization of ethicality. It is telling that Hegel concludes his discussion of action theory with a treatment of conscience. As the most profound expression of subjective inwardness conscience is also the most developed articulation of the idea of the realized good available to a theory of subjective morality. Hegel is clear that a complete account of the realized good must surpass a merely subjective or moral approach and attend to the norms and practices subsisting in an existing ethical community. Yet it is also his view, one to be explored further in this book through his accounts of republicanism and civic virtue, that norms and practices themselves acquire their proper validation and ethical community itself assumes its full reality only via elaboration of modes, epistemic and volitional, of reflexive subjectivity. For Hegel, objective and embodied freedom is tied to practices of "cultivated insight."⁸⁷

3. We see, then, that the expressivist thesis misconstrues Hegel's position, failing to acknowledge the centrality of processes of inwardness and interiorization to his notions of freedom, self-realization, and subjective agency. But the expressivist thesis is also problematic because it leaves Hegel vulnerable to unwarranted criticism. It has been claimed, for instance, that

because Hegel defines autonomous action as the embodiment of subjective purposes in external reality, he adopts a practical philosophy modeled on work, production, and what Aristotle has called *poiesis*. In this way, he not only denies social interaction's place in political life; he reduces practical philosophy to an instrumentalism, voluntarism, or even decisionism that suppresses his insight into human intersubjectivity while minimizing possibilities for normative reflection on the ends of public life and the conditions for agency itself. Versions of this criticism have been formulated by those who not only ascribe to Hegel a work-oriented conception of political action,⁸⁸ but construe it in expressivist terms.⁸⁹

As a general matter, there is merit to this interpretation, for Hegel does understand action as a mode of productive activity. In its most completion expression, action denotes the realization of the good in the world. At the same time, however, Hegel advances a highly distinctive notion of production, one not obviously subject to the criticisms commonly directed to work-related notions of activity.⁹⁰ For one thing, productive action for Hegel, at least in its realized expression, does not take the form of an operation on an externally existing materiality. Although action for Hegel is directed to creating an objective reality, that reality exists in and only in the activity itself. It is in willing the good that the good itself assume reality. With the realized good, Hegel writes, the intention is "the universal content of the action."⁹¹ Indeed, far from a reality acted on by the acting subject, the realized good—and here Hegel's conception of action exhibits greater affinities to Aristotle's conception of *energeia* than *poiesis*—is an internal dimension and by-product of agency itself. "That a final end is brought forth (*hervorgebracht*) at all occurs (*geschieht*) only through action."⁹²

Moreover, because action is directed *a limine* to realization of the final good, it cannot be understood as an instrumental activity. This is so not just for the reason that action, as itself constitutive of the good, is—like the Aristotelian conception of *praxis*—its own end (*Selbstzweck*).⁹³ It is also because the final good emerging through action articulates the universal well-being or well-being of all⁹⁴ distinguished by relations of mutuality and reciprocity.⁹⁵ For Hegel, the work paradigm is in no way incompatible with that of social interaction. Furthermore, Hegel's notion of action, rooted in the idea of subjective self-determination, contains a component of normative reflection and self-reflection absent from purely instrumental notions of agency. As a process in which the will not only objectifies itself but objectifies itself *as itself* ("sich *als sich* zum Gegenstande machen"),⁹⁶ action is guided by the normative question of whether not only the achieved but the subject's agency conforms to a notion of freedom understood as selfhood in otherness. Nor should such reflexivity be understood simply as a monological undertaking. As has already been noted, genuine action, that understood as ethical sentiment, is predicated on a notion of universal subjectivity or self-consciousness that itself both presupposes and entails recognition of the selfhood of others. For Hegel, action directed to realizing

the good is intertwined with intersubjectively mediated modes of individual self-scrutiny and self-definition.

Thus, while Hegel does conceive action as a form of productive activity, he does not thereby construe it in terms of an expressivism modeled, as with conventional notions of production, on monological or instrumental relations to reality. Instead, productive action for him includes not only a component of normative self-reflection but also a conception of individual self-formation dependent on and mediated by relations of intersubjectivity. One can certainly question the viability and even the intelligibility of Hegel's expansive notion of productive activity, one not uncommon to thinkers of the German Enlightenment.⁹⁷ Whatever the final assessment, however, the degree to which processes of interiorization and inwardness remain the underlying assumptions of Hegel's conception of action should not be gainsaid.

4. It may be argued that a Hegelian form of expressivism has little to do with instrumentalism and thus is unaffected by difficulties that beset that notion. Indeed, Hegelian expressivism can be understood precisely as a critique of instrumentalism. Whereas instrumental reason objectifies external reality, expressivism approaches reality with an attitude of respect and mutuality. For expressivism, external reality is not acreage to be enclosed and mastered but an environment for spiritual discovery and fulfillment. Hegel's position has been interpreted along these lines by Taylor, who construes expressivism in terms of the quest for holism characteristic of early nineteenth century romantic aesthetics.⁹⁸

This version of the expressivist argument can likely be associated with some of Hegel's contemporaries, yet, again, it should not be ascribed to Hegel himself. For Hegel, the very assumption that the self could find complete self-fulfillment in external conditions was mistaken. Far more sober than his romantic contemporaries, he maintained that the tensions and dissonances of modern life could never be fully eliminated. The disparate elements of modern social life could never be so harmonized to accommodate an individual's quest for wholeness. Indeed, such harmony is not even desirable, for it would eliminate the particularism and subjective individualism that is the strength of modern society. To the extent it is possible at all, an expressive *promesse du bonheur* under modern conditions is achievable only in the artistic imagination of a beautiful soul—"the sentimental *bel esprit*."⁹⁹ Precisely as the domain where "the grief would not endure,"¹⁰⁰ however, this realm of aesthetic redemption is inadequate for a world structured by bifurcation. Indeed, efforts to restore holism through aesthetic self-expression can only result, as diverse writers such as Simmel, Nietzsche, Adorno, and Foucault later argued, in self-dissipation, a state of affairs that intensifies the dichotomies in question.

None of this implies that Hegel is uninterested in surmounting modern bifurcations. His is not the position of Schiller, who sought "only" to humanize and subject to communicative control a world irrevocably

bifurcated.¹⁰¹ Against this “pragmatic” approach, Hegel remained committed to a “speculative” solution.¹⁰² He simply maintained that modern bifurcation cannot be consequentially surmounted with expressive-aesthetic means. In his view, other tools are required—the logical-methodological tools of a dialectical science. Only dialectics can reconcile reason and reality in a way appropriate to the bifurcated reality of modernity. Only a science able to discern the coimplication of identity and difference is able both to confront the reality of modern dissonance and to forge unity from the opposition itself. While romanticism properly notes the increasing fragmentation of modern life, the expressive-aesthetic solution bypasses existing oppositions in a way that undermines the possibility of a genuinely holistic alternative. By contrast, a dialectical logic, capable as it is of “looking the negative in the face and tarrying with it,”¹⁰³ can proffer a comprehensive totality, one that subsists not in spite but because of modern dissonance. It may be that romantic expressivism migrates from “*logos* to *poesis*,”¹⁰⁴ but Hegel traces the steps from *poesis* to *logos*.

To be sure, reconciliation, for Hegel, is not just a conceptual production. It is also a product of reality itself. “Its being as a product must be comprehended as a producing.”¹⁰⁵ Anything else would ratify the opposition between subject and object, reason and reality, besetting the aesthetic-expressivist solution. Besides, a genuine reconciliation of individual and community requires that individuals knowingly embrace the universal and actively pursue its realization. In an authentic political totality, an individual perceives the whole as “the end and product of his own activity,”¹⁰⁶ as “that which he brings about through his own activity.”¹⁰⁷

If Hegel nonetheless invokes the need for theory, it is to expose the misconceptions that prevent individuals from recognizing the interrelationship of their interests with those of public life. Claiming that popular consciousness is dominated by an analytic understanding or intellect (*Verstand*) that ratifies and perpetuates dichotomies, Hegel ascribes to theory the task of demonstrating for popular consciousness, *inter alia*, that rights and responsibilities are mutually implicative, that modern bifurcations facilitate rather than impede genuine political totality, and that such totality can represent something more than the coincidental byproduct of individuals pursuing private interest. “The task of philosophy is to construct the absolute for consciousness.”¹⁰⁸ Still, the absolute itself must be regarded, not as external construction, but as a development immanent or “interior” to reality itself—as a product of society’s self-comprehension and self-construction. Essential though philosophy is in exposing and uprooting dogmatic assumptions, a genuine political totality can result only inasmuch as individuals recognize the compatibility of their interests with those of the political community and proceed to reorder existing conditions accordingly. Only such an endogenously generated solution—rather than the exogenously produced one offered by aesthetic-expressivism—can surmount the dichotomies in question.

II

Thus far, I have challenged the subjective form of a putative Hegelian expressivism: the notion that self-realization consists in the exteriorization of subjective purposes. Yet it may be argued that such challenges do not touch the core of Hegelian expressivism, what can be called *objective* expressivism. In this variant, human thought and experience express some greater whole and find fulfillment only in emphasizing the primacy of the whole. In what follows, I evaluate this interpretation as it is purportedly developed in Hegel's account of (1) rationality, (2) the relationship of individual and community, and (3) the relationship of man and nature. I argue that here, too, the expressivist model misconstrues Hegel's actual position.

1. One "objective" form of Hegelian expressivism has been discerned in his account of rationality, particularly as it pertains to moral norms and principles. A particularly notable version of this view has been advanced by Sabina Lovibond, whose *Realism and Imagination in Ethics* fashions a non-cognitivist account of morals that relies significantly on Wittgenstein and Hegel.¹⁰⁹ Drawing on Taylor's work,¹¹⁰ Lovibond maintains that Hegel holds an embodied or "concrete" concept of moral rationality, where reason is not, as it is with Kant, abstractly juxtaposed to existing forms of life, but expresses the exigencies of a particular life context. Claiming that moral conduct is possible and meaningful only in the context of shared life experiences, Hegel contends that moral rules and norms themselves are intelligible only as expressions of shared social practices.¹¹¹

On its face, this thesis, too, seems uncontroversial, for Hegel did formulate an account of concrete rationality that accommodates the substantive considerations lost in the abstract formalism of Enlightenment and, in particular, Kantian universalism. In this respect, Lovibond correctly identifies neo-Hegelians such as Bradley and Green as proponents of the expressivist concept of rationality. But she errs when attributing this position to Hegel. Though Hegel does champion the claims of concreteness, he is not opposed to the Kantian formalism. On the contrary, he fully accepts the requirements of a formal conception of rationality. Such emphasis on the priority of form is certainly a *sine qua non* for any account of philosophical idealism.¹¹² It is particularly important in a world that, no longer able to appeal to the substantive truths encapsulated with aesthetically and religiously defined cosmologies, must attend to the "logical" structure of autonomous, self-grounding reason to account for truth, meaning, and rationality.

When criticizing the abstract formalism of Kantian rationality, Hegel directs his animus not at formalism per se but at those abstract conceptions of formalism that assume that substantive considerations are alien to those of form. In what has been called Hegel's "metaphysic of form,"¹¹³ concreteness—a technical term denoting the unity of thought and being—is achieved only by further developing a concept of form so

that substantive considerations are not inimical to formalism but a feature of it. Kantian formalism is inadequate, Hegel writes, not for "lack of that presumptive reality given in feeling and intuition but rather in the fact that the concept has not yet given itself a reality of its *own*, a reality produced from its own resources."¹¹⁴

Hegel, to be sure, recognizes the extent that claims to rationality are pre-defined by substantive assumptions. He criticizes Kant precisely for failing to realize that his account of formal rationality presupposes substantive assumptions that vitiate any wholly formal account of rationality. On this basis, however, Hegel does not champion substantive over formal considerations; he does not embrace an account of rationality that defines cognitive considerations in terms of the requirements of life-practice. This view assumes that Hegel criticizes Kant for his excessive formalism, whereas, in Hegel's view, Kant is not formal enough. As Hegel noted when discussing the abstractness of formal theories generally: "it is not content that they lack, for they have a specific content; they lack rather form, which is their essential nature."¹¹⁵ To acknowledge that substantive considerations insidiously cling to Kant's theory of rationality is only to demonstrate the need to move from an abstract or finite to a substantive or infinite account of formalism, one in which the substantive considerations tacitly presupposed in any account of rationality are rendered an explicit product of reason itself. Hegel strives to demonstrate that reason's presuppositions (*Voraussetzungen*) are posits (*Setzungen*) of reason itself.¹¹⁶

This point is central to Hegel's practical philosophy. In his theory of objective spirit, Hegel seeks to surmount the dualisms of Kant's practical philosophy, to formulate a concept of concrete ethical life that conjoins universalism and particularism, norms and history, and rules and community. But Hegel does not do so expressivistically. His aim is not to develop a concept of practical rationality rooted in the contextual exigencies of a particular form of life, but to develop an account of concrete ethical life from the (transformed) principles of practical reason themselves. He challenges the abstract universalism of a practical philosophy based on the principle of the universal will, not by repudiating the principle itself, but by expanding it so that it fulfills its claims to universality—by extending its reach so as to grasp not just the restricted realm of unconditioned morality but the realm of conditioned experience itself, including the economic, social, familial, legal, political, and historical domains. The task of the *Philosophy of Right* is to reinterpret the "conditioned" domain of laws and institutions in terms of the principle of unconditioned freedom implicit in the idea of universal, autonomous will. Hegel's "system of right is the realm of freedom made actual, the world of mind brought forth out of itself like a second nature."¹¹⁷

Naturally, Hegel is uninterested in contraposing a constructed concept of rationality to existing sociopolitical reality. The uniqueness of the doctrine of objective spirit is precisely its incorporation of the content of existing

historical realities into the framework of practical philosophy. Philosophy is its own time apprehended in thought. Yet this turn to existing reason is conceived not as a denial but as an elaboration of the universalist and emphatically normative concerns that traditionally typified the canon of practical philosophy. In Hegel's view, the claims to autonomy that inform above all the Kantian concept of practical reason can be comprehensively and definitively fulfilled only if philosophy attends to a concept of reason that exists not just for philosophy but is discernible in existing conditions and accessible to public consciousness. Philosophy is "the exploration of the rational," and "is for that very reason the apprehension of the present and the actual, not the apprehension of a beyond, supposed to exist."¹¹⁸

Moreover, even though the doctrine of Objective Spirit proceeds from a historically received conception of reason, its normative principles derive not from existing reality itself but from principles that emerge only in the systematic reconstruction of existing reason. Hegel does elaborate a "concrete" account of practical philosophy, yet concreteness for him is achieved not by submitting to a reason embodied in existing practices, but by attending to actuality or true being, which only emerges when assumptions expressive of mere existence are purged of their adventitious attributes and made to express their essence and nature, their concept. However critical of Kant's "abstract" universalism, Hegel follows Kant in insisting that practical philosophy must adhere to a more than merely historical account of rationality.

2. A related form of Hegel's objective expressivism has been detected by Charles E. Larmore, who focuses on the idea of political expressivism. Political expressivism connotes an organic account of the relation of individual and community, one that views the individual as a part or expression of a broader social-political whole. Larmore variously characterizes political expressivism. On some occasions, expressivism is the view that humans only realize their nature and identity in community. On others, political expressivism is said to denote the view that our highest political ideals should fully coalesce with our highest personal ideals. In general, expressivism here challenges disjunctive accounts of the relationship of man and citizen, *homme* and *citoyen*, central to liberal political theory.

Although not without plausibility, Larmore's thesis in fact does not capture the Hegelian position. For one thing, the assertion that Hegel sought to bind personal ideals to those of the political community is contravened by Hegel's contention that the highest human ideals are most fully expressed only in the cultural domains of art, religion, and philosophy. But the expressivist view is deficient even if we restrict our focus to social and political relations. While Hegel did, undeniably, seek to surmount the opposition between individual and community typical of liberal accounts, he never argued that individuals find meaning and reality only in expressing a broader political whole. Such views may have been held by German romantics, but not by Hegel, whose view of the political individual far more accords with the aims of liberal political theory.¹¹⁹

This form of political *non*-expressivism is evident in his commitment to many of the basic principles of a liberal constitutional state, for example, basic rights, separation of powers, structures of judicial review, and a federalist conception of power.¹²⁰ It is evident in the fact that his account of political community is preceded by an explication of the “right” of the legal person and the moral subject. It is also evident in his explicit founding of the *Philosophy of Right* on the rational and autonomous individual, “the standpoint with which right and the science of right begins.”¹²¹ While an expressivist account regards the self as constituted only in political community, Hegel follows liberals in ascribing rights and duties only to already constituted legal subjects.

Certainly, Hegel does not espouse the asocial concept of human nature associated with liberal political theorists. In line with subsequent developments in social theory, he holds that selfhood and autonomous ego-identity are necessarily social, that an individual acquires a sense of himself or herself as individual only in social relations. Still, questions of empirical identity formation are, for Hegel, distinct from the normative concerns of political philosophy.¹²² If individual self-formation is inconceivable outside of community, the political ascription of rights and duties, presupposing as it does individual autonomy, is meaningful only by already assuming the idea of free and independent subjects. To be sure, precisely because political philosophy does presuppose the concept of the autonomous subject, it also must presuppose the social or communal processes of individual ego-formation.¹²³ Still, questions of socially mediated ego formation, situated by Hegel in his theory of Subjective Spirit (psychology and anthropology),¹²⁴ occupy no systematic place in his *theatrum mundi juridici*. To assume otherwise, to assume that ego identity is established only in political community, is to ignore the distinction between man and citizen, *homme* and *citoyen*, that lies at the normative heart of the *Philosophy of Right*.

None of this implies that Hegel espouses a liberal conception of state and community. While opposed to any expressivist derogation of subjective rights and liberties, he is equally opposed to the liberal view that considers community merely as a means to implement or safeguard the ends of private individuals. Against this contingent-instrumental view, Hegel maintains that the state is an end in itself, one that constitutes an individual's “substantive groundwork and end.”¹²⁵ Even here, however, Hegel cannot be said to claim in expressivist fashion that the *individual* has meaning and reality only as part of a broader whole. His point is rather that *the rights and liberties* claimed by autonomous individuals have no meaning and reality outside a framework of justly ordered institutions.¹²⁶ If Hegel accords a certain substantiality to the state vis-à-vis the person, it is as regards what Rawls calls the “*political* conception of the person.”¹²⁷ At issue is not a public or communal definition of the self, but recognition that individuals can meaningfully assert rights only as a member of a political community.

And it is in this context that Hegel's identification of public and private ends should be understood.

At issue is not an undifferentiated homogenization of personal aims and social values, but a thesis about the conditions for individual liberties. Citizens embrace the aims of the state because they understand that their assertion of existing rights is dependent on the structures of a constitutional state, that their "particular aims can be only through the universal."¹²⁸ What Hegel calls political sentiment is rooted in "the consciousness that my interest . . . is contained and preserved in another's (i.e., in the state's) interest and end."¹²⁹ Here we disregard Hegel's additional and possibly stronger thesis: the political realm itself has legitimacy and reality only inasmuch as citizens knowingly and actively embrace public ends as their own.¹³⁰ What should be emphasized is only that in challenging the *political* opposition of individual and community, Hegel is not also adopting the expressivist intention to define the individual as such in communitarian terms.

It may be further noted that while Hegel espouses an organic concept of state, his is not the expressivist organicism attributed to him by Larmore. Expressive organicism is an account of the relationship of parts and whole where parts exist only through the whole, where "each part expresses the essence of the whole."¹³¹ While this is certainly one aspect of a genuine theory of political organicism, it neglects what, for Hegel, is the essential dimension: that the whole itself expresses its parts.¹³² For Hegel, this is particularly important with regard to individual subjectivity and the right of subjective reflection. In expressivist accounts, independent subjective reflection is accorded little consideration, for individuals have identity only through their dependence on the whole. By contrast, a genuine whole, for Hegel, exists only by accentuating the right of subjectivity. This is so not just because a genuine totality requires differentiation, but because the organic bond between individual and community is forged only to the degree that the individual *perceives* that his or her interests are represented in the whole. Without such consciousness, the bond remains contingent and external; it may exist in thought but not in reality itself. The desired internal and necessary connection is achievable only via the standpoint of self-consciousness, which allows the individual to relate to laws and institutions as to his "own essence, the essence in which he has a feeling of his selfhood, and in which he lives as in his own element not distinguished from himself."¹³³ Only by accentuating the standpoint of subjectivity is it possible to underwrite that "more immediate identity" central to a living account of the relationship of individual and community. Though Hegel attacks the disjunctions in liberal accounts of the relationship of individual and community, his own "organic" alternative is fashioned not from an expressivist perspective but from within the ambit of modern liberal political thought itself.¹³⁴

3. The last version of objective expressivism here to be considered is one advanced most clearly by Taylor himself. Objective expressivism would

reunite human beings with nature, reestablish “communion with nature.”¹³⁵ Inasmuch as humans exist only in expressing a larger natural order, they can flourish and fulfill themselves only in nurturing their ties with nature. As Taylor writes:

We ought to recognize that we are part of a larger order of living beings, in the sense that our life springs from there and is sustained from there. Recognizing this involves acknowledging a certain allegiance to this larger order. The notion is that sharing a mutually sustaining life system with other creatures creates bonds: a kind of solidarity which is there in the process of life. To be in tune with life is to acknowledge this solidarity.¹³⁶

Although expressivism of this sort can be ascribed to some German romantics, it cannot be appropriately identified with Hegel, his critique of Enlightenment dichotomies notwithstanding. While Hegel certainly sought to reestablish the self as a whole, he did not hold that this could occur through the self's reintegration into nature; nor did he suggest that nature itself was “the source of self.” Such views ascribe to Hegel a “spiritualized” or “poeticized” approach to the natural world at odds with his strictures on enchanting nature.¹³⁷ “Nature is not to be deified.”¹³⁸ Such “speculative” pantheism, favored though it was by contemporaries such as Baader, Hölderlin, Goethe, and Schelling, had for Hegel been rendered illicit by modern science and mechanistic accounts of nature.

But it was also untenable on metaphysical grounds. In Hegel's idealist ontology, a thing has genuinely concrete reality only insofar as it expresses an organic unity of concept and existence, the unity of a thing with the concept of itself. In this definition, nature has no true being, for its concept exists outside itself—in the domains of self-consciousness, or *Geist*, where alone conceptuality has its place and reality. Indeed, nature, far from representing a higher order of being, is in Hegelian ontology an entity devoid of all being whatsoever; it is a “*res nullias*” (*non-ens*).¹³⁹ It is for this reason that Hegel was attracted to the Protestant mystic Jacob Böhme, who, far from sanctifying nature, identified it with Lucifer. And it is for the same reason that he disputed the then-current *Hen kai pan* neo-Spinozism, which deemed nature a source of spiritual renewal and reintegration. Indeed, as “the Idea in Externality,” that is, the idea alien or external to itself, nature perforce repels such efforts.¹⁴⁰

For his part, Hegel maintains that self-reconciliation is a development occurring wholly indigenous to the domain of spirit itself. It denotes the process by which the subject becomes fully what in principle it already is: that which has itself as its own object. The self surmounts fragmentation not by locating itself in a putatively redemptive order of natural being, but by systematically traversing the spheres of being specifically dedicated

to the unity of substance and subjectivity—above all, art, religion, and philosophy. Certainly, self-reconciliation also involves interaction with nature, as the physical source of all life. Yet, for Hegel, the interaction of Nature and *Geist* is predicated not on integrating the self itself into nature but in progressively liberating it from all that is natural. While nature may be the spatiotemporal source of all spiritual being, spirit itself has its ontological *fons et origo* only in spirit, which is fully attained in the complete extirpation of all elements that do not accord with a concept of subjective self-reflexivity.¹⁴¹ Spirit finds reconciliation only when the substantive conditions of its existence can be fully represented as a product of subjectivity itself. What in his political writings Hegel said of the unification of freedom and necessity applies generally to the reconciliation of substance and subjectivity: it “is produced not through nature but through freedom.”¹⁴²

Hegel’s paean to the autonomous power of spirit, to be sure, entails little of the disdain for nature discernible in, say, Descartes, who saw man as nature’s *maître et possesseur*. Like many of his romantic contemporaries, Hegel also sought to liberate nature from the evisceration it suffered in Enlightenment thinkers¹⁴³ and from what he himself perceived as its alienated condition. Indeed, anticipating Ernst Bloch and Walter Benjamin, he allowed that his philosophy aspires to the “reestablishment of a true nature” (*die Wiederherstellung der wirklichen Natur*), one sensitive to nature free of instrumental manipulation.¹⁴⁴ Moreover, such reestablishment would flow from reconciling the realms of nature and spirit. On the other hand, Hegel’s restorative approach does not require spirit to bow to truths presumed to lie hidden within nature’s breast. This would assume that nature’s alienation derives from external exploitation and from its instrumental domination by human beings. For Hegel, however, nature’s alienation is ontological rather than historical, intrinsically structured rather than externally produced. Unable to generate a concept of itself, nature has its essence in *Geist* and thus is alien or external to itself. In this view, nature can be liberated not by ending its subjective manipulation but by emancipating itself from itself—by moving from nature to spirit. If nature has its concept in spirit, it can achieve organic union only in *Geist*, only in the domain where conceptuality is a feature of reality itself. In this sense, Hegel claims not only that spirit attains true being when liberating itself from nature; nature itself comes into being only in this development.¹⁴⁵ Nature is resurrected only insofar as humans “elevate themselves beyond a fallen nature.”¹⁴⁶

Many questions can be asked of Hegel’s view of the relationship of spirit and nature. If Hegel surmounts an instrumental approach to nature, does he do so only through a hyper-subjectivism that denies natural nature all reality whatsoever? If he did seek to restore appreciation for nature’s intrinsic truth, what is the substance of his wholly spiritual concept of nature? Is Hegel’s project a desperate effort to retain some appreciation for an

enchanted nature in a world where existing nature is thoroughly and irrevocably disenchanted? Is his embrace of the mystical concept of a resurrected nature product of appreciation of the paradoxes that attend direct human efforts to restore harmony to nature? Is his wholly produced concept of nature just a philosophical elaboration of Christian notions of creation? Does it exemplify what Feuerbach and Marx saw as Hegel's misguided and mystified tendency to reconcile reason and reality wholly at the level of thought? Does Hegel provide a metaphysical reconciliation of nature only to mask his failure to address the possibility of a real historical one? And if he did assert that nature can be reconciled only in a process of human self-cultivation, what follows from the fact that this process concludes in the cultural domains of art, religion, and philosophy?

Here is not the place even to attempt answers these questions. My aim has only been to indicate that Hegel's conception of the relationship of nature and subjectivity should not be construed on a model of objective expressivism. While Hegel seeks to restore a unity in the self, he claims that this is achievable not through establishing ties with nature but by liberating the self from nature itself. Similarly, while he does formulate a spiritualized concept of nature, his aim is not to recover a spiritual order of being in nature but to render nature itself a product of spirit. Taylor rightly notes that, for Hegel, nature and spirit are reconciled not directly, but only in the arduous process of human self-reconciliation.¹⁴⁷ Yet, whereas Taylor sees this *Bildungsprozess* culminating in a new appreciation of man's dependence on nature, Hegel's account flows from a belief that both man and nature exist only through a dependence on spirit. While expressivism regards nature as a source, Hegel recognizes a source only in *Geist*.

III

This chapter has challenged the expressivist reading of Hegel's philosophy. While rightly noting Hegel's effort to surmount Enlightenment dichotomies, this reading fails, both in its subjective and objective versions, to grasp the essentially non-expressivist, interiorizing nature of Hegel's proposals. Although Hegel certainly emphasized the importance of embodiment and externalization for human agency and self-realization, his focus was first and foremost not on an expressivist notion of agency or selfhood, but on the modes of differentiation needed for internal self-development of the autonomous subject. He understood concrete rationality not as a paean to historical particularity, but as further development and vindication of universalist claims central to the Kantian conception of reason. He construed the modes of human social dependency he so innovatively detailed as themselves dependent on cultivated forms of subjective knowledge and will. He challenged political atomism not by invoking a communal conception of human nature, but by demonstrating

that political community is the precondition for individual freedom. He sought to restore the connection of human beings with nature not by integrating the self into a spiritual order of natural being but by presenting the substance of both nature and spirit as a product of subjectivity, one to be sure that was equally critical of one-sided notions of the subject.

Appreciation of the non-expressivist dimension of Hegelian thought and its commitment to an externally mediated process of interiorization is important as it contribute to a more adequate understanding of Hegel's philosophy. But it is also serves to undergird themes addressed in the other three chapters in this section of the book. Attention to the role of interiorization supports a reflexive notion of republican civic virtue, one where individual agency, however much it is shaped and defined by existing political relations, itself importantly shapes and defines those relations as well. Similarly, attention to the model of inwardization also clarifies Hegel's notion of political theology and the degree to which his infamous claims about the divinity of the state serve less to endorse state authoritarianism than to advance a notion of political community understood in terms of the ongoing processes of self-interpretation through which a people constitutes and reconstitutes its identity. And while Hegel shares with some proponents of the expressivist doctrine a determination to challenge the limitations of modern thought and culture, he does so less, as demonstrated in the next chapter, via a criticism of modernity itself than through its extension and further development.

7 Hegel, Hobbes, Kant, and the Scienticization of Practical Philosophy

In the *Encyclopaedia*, Hegel defines his political philosophy—the theory of Objective Spirit—as a unity of practical *and* theoretical spirit. He thereby at once differentiates his practical philosophy from that of Aristotle, who demarcated practical from theoretical philosophy, *and* aligns himself with more typically modern thinkers, who subordinate practical philosophy to the requirements of theoretical and scientific rigor. Yet Hegel embraces the modern, scientific tradition of practical philosophy only while subjecting it to significant criticism. In this chapter, I present and examine Hegel’s immanent critique of modern efforts to render practical philosophy scientific, focusing on his reception of what, for him, are the paradigmatic writings of Hobbes and Kant. My aim is threefold: to clarify Hegel’s relationship to seventeenth- and eighteenth-century practical philosophy, to specify the modernity of his “supersession” of the modern tradition, and to consider the viability of an emphatically theoretical or scientific approach to politics.

I

Hegel follows Hobbes in rejecting Aristotle’s separation of theoretical and practical knowledge, *episteme* and *phronesis*. For Aristotle, practical philosophy neither can nor should offer the rigor and precision of the theoretical sciences. Such rigor and precision are inappropriate for a philosophy that not only focuses on the changing domain of human affairs but culminates *a limine* in action rather than knowledge. By contrast, Hegel and Hobbes both accentuate the theoretical dimension of practical philosophy. For Hobbes, “[t]he skill of making, and maintaining, Commonwealths consists in certain rules, as does arithmetic and geometry; not (as tennis play) on practice only.”¹ Similarly, Hegel asserts that his political philosophy has as its task “the scientific proof of the concept of the state.”²

In addition, Hegel follows Hobbes in adopting a decidedly non-Aristotelian conception of theory itself. Aristotle, focusing on the cyclical order of the natural cosmos, interpreted theory contemplatively. Hegel and Hobbes,

by contrast, ascribe to theory an active and even productive dimension. For Hobbes, philosophical theory exists only in production or “generation,” and “where there is no generation . . . there is no philosophy.”³ Similarly, Hegel maintains that the goal of theoretical science is not to depict a pre-existent order of nature but to reconstruct a subject matter so that it conforms to conceptual requirements. In Hobbesian spirit, Hegel champions a concept of theory conceived not in terms of philo-sophia but *wirkliches Wissen*, not Eros but *Arbeit*, not *amor intellectualis Dei* but *die Anstrengung des Begriffs*.⁴ Hegel’s commitment to a concept of theory emphasizing the power of the subject is evident in his praise for Hobbes, whose science of politics is the first to “derive the bond which holds the state together . . . from principles within ourselves, which we recognize as our own.”⁵

Nonetheless, Hegel criticizes Hobbes, asserting that the latter’s science of politics was insufficiently radical in transforming traditional practical philosophy. Specifically, Hobbes failed to liberate reason from classical naturalism in the way demanded by his constructivist redefinition of philosophical theory. This failure follows from Hobbes’s “geometrical” understanding of the nature of philosophical science. The science of geometry comprises a set of propositions methodically derived from ostensibly self-evident first principles. For Hegel, this model—“the greatest example of science fumbling in the dark along its borders”⁶—is deficient, for it cannot vouchsafe its own claims to necessity. While the derivation of propositions from first principles may be legitimate, the principles themselves are unexplained; they are not demonstrated but merely presupposed as given. A *mos geometrico* affirms the very naturalism a theory championing subjective artifice purportedly surmounts.

The point is evident in Hegel’s critique of Hobbes’s employment of the state of nature metaphor. A state of nature is not what its proponents claim: an ahistorical condition antedating all achieved forms of sociopolitical life. It is a veiled, and often not so veiled, redescription of existing sociopolitical conditions—the very conditions requiring justification. Thus, Hegel criticizes the Hobbesian state of nature because it fashions into an ahistorical, universal condition a form of social relations peculiar to nascent seventeenth-century market societies: the economic war of all against all. Hobbes’s state of nature, Hegel writes, is merely an “enumeration of capacities found in men through empirical psychology.”⁷

For Hegel, this reliance on unexplicated historical assumptions is entailed by Hobbes’s form of argumentation, the geometrical method itself.⁸ Able only to stipulate but not ground his first principles, Hobbes clings to an originary state of affairs that merely reiterates conventional assumptions and attitudes. While the geometrical method may specify the conditions according to which propositions are derived from first principles, it says little about the necessity of the first principles themselves. Their validity is simply presupposed, an *aporia* that Hobbes unavailingly tries to defuse by appealing to existing beliefs about the nature of political life. For Hegel,

Hobbes's geometrical constructivism is dependent on the historical realities it purports to ground: "The governing principle for this *a priori* is the *a posteriori*."⁹

Hegel asserts this thesis more generally when criticizing the "formalism" of Hobbes's productivism. Hobbes's productivism is formal because it is concerned only with constructing the rules or "mechanics" of human sociation. Hobbes is unconcerned with the substance of the interests whose pursuit those rules are designed to safeguard. Rationality extends only to the structure of the relationship between individual wills and not to what presumably would be the focus of a theory that purports to render political reality itself a rational construct: the content of individual willing itself. Hobbes maintains that the problems besetting statecraft derive not from the subject matter, as Aristotle did, but from the lack of a proper method. "The fault," Hobbes writes, "is not in men, as they are matter, but as they are the makers and orderers of them [commonwealths]."¹⁰ For Hegel, however, the problem with Hobbes's construction is precisely its insufficient attention to the *matter*. Because Hobbes defines human divinity solely in its ability to create "pacts and covenants," he acknowledges that the subject matter remains beyond the scope of artifice. Hobbes fails to recognize that the aims of his own theory can themselves be realized only when reason subordinates to its power not just rules of sociation but the interests that those rules regulate. Hobbes's constructivism culminates in "that *fiat*, or *let us make man* pronounced by God in the creation [of the natural world]."¹¹ From a Hegelian perspective, however, Hobbes's God is only "that Mortall God."¹²

Here, too, Hobbes's constructivism must recur to substantive considerations that are not explicitly thematized by the theory itself. Here, too, Hobbes turns, unsurprisingly, to prevailing attitudes and assumptions to fill the substantive lacunae created by his theory. In a world where social conditions are characterized by "possessive individualism,"¹³ it is not remarkable that a theory unable to provide for its own substantive assumptions invokes those typifying contemporary conditions: atomism, acquisitiveness, and competitive antagonism. What again must be stressed, though, is that, for Hegel, Hobbes's substantive dogmatism is entailed by the theorizing itself. In defining political science through principles of formal rationality, Hobbes eliminates consideration of what "belong to particular manners, to history, to civilization, and even to the state." He is thereby committed to a radically atomistic view of human nature, to a view of the political individual fully abstracted from all social, political, familial, and traditional affiliations.

Similarly, in defining rational universality solely in terms of the mechanics of sociation, Hobbes assumes that all interests are only private and that a truly public or communal will is inconceivable. And by defining political rationality in terms of procedures to adjudicate disagreements between private individuals, Hobbes must hold that social relations are indeed characterized by conflict and antagonism. As Hegel writes: "Since the many are many for one another

without unity, they are destined to be self-opposed and to be in absolute conflict with one another.”¹⁴ For Hegel, Hobbes’s rules for sociation presuppose, entail, and perpetuate the “war of mutual destruction”—the *bellum omnium contra omnes*—they were designed to eliminate. In all cases, Hobbes’s constructivism not only relies on but ratifies a naturalism at odds with a science that purports to subordinate politics to reason, will, and artifice.

One might conclude that Hegel criticizes Hobbesian science because it remains too typically modern. Committed to a formal account of rationality, Hobbes is tied to the modern dichotomies Hegel seeks to surmount. But, for Hegel, Hobbes also remains ensnared by the classical assumptions he purports to have jettisoned. Hobbes surpasses classical theory in repudiating the notion that reason resides in the natural order of things: reason is what we produce, not what exists in reality *sub specie aeternitatis*; truth refers not to things but our propositions about them. Yet because Hobbes restricts this productivism to formal considerations, his theory fails to account explicitly for the substantive interests it presupposes and entails. Unable to provide for the generation of material considerations, Hobbes, *malgré lui*, follows Greek political theory in its reliance on a preexisting order of nature. At most, Hobbesian rationalism attains the level of what Hegel calls the “negative Absolute”—the subordination of reality to formal principles of rationality. It did not attain the level of “absolute nullity,”¹⁵ where the content of political life is also a matter of conceptual determination and validation.

In summary, Hegel lauds Hobbes not only for providing political theory with scientific foundation but for constructing the productive, noncontemplative concept of theory appropriate for a modern account of practical philosophy. At the same time, however, Hegel argues that Hobbes failed to complete the transformation he initiated. Relying on a formalistic, geometrical concept of theory, he was unable to construe political philosophy on the model of subjective creation. At most, he provided for the formal relationship of individual wills; he could not present the content of volition as itself a determination of reason. According to Rüdiger Bubner, “Hegel’s criticism of the modern conception of philosophy as science is primarily concerned with demonstrating that the previous understanding of method does injustice to the principle of *autonomy*.”¹⁶ This statement aptly captures Hegel’s critique of Hobbes, whose political science is vitiated by a methodical formalism that remains dependent on material considerations that science itself should explicate. In Jacques Taminiaux’s words: “What is not yet in Hobbes, or what is rather there only by way of tendency, is the unrestricted use of this reduction and the self-grounding of this production.”¹⁷

II

For Hegel, the authentic basis for a theoretical approach to practical philosophy emerged only in *die neuesten Zeit*: practical philosophy does not

"become really speculative until very recent times."¹⁸ Hegel identifies this era historically with the period of the French Revolution; philosophically, with Kantian idealism.¹⁹ For Hegel, Kant's practical philosophy is speculative with regard to (1) its method, (2) its implied conjunction of reason and reality, and (3) its adumbration of a holistic, organic approach to moral-political theory. Examination of these issues allows appreciation of why Hegel considered Kant's practical philosophy superior to that of Hobbes; it also allows appreciation of why he claimed that Kant's position and the general tradition of practical philosophy must be jettisoned in favor of a doctrine of Objective Spirit.

1. Hegel held that Kant's practical philosophy is methodically superior to that of Hobbes.²⁰ As against the geometrical method, with its dogmatic reliance on unjustified assumptions, Kant articulates a method that is genuinely self-grounding. Moral theory for Kant focuses on freedom, the presupposition of moral responsibility. Accordingly, it attends to laws distinct from natural laws. While laws of nature express external causation and heteronomous determination, moral laws are laws of autonomy, laws that individuals impose on themselves. Yet, for Kant, moral laws are not simply laws of freedom; they are also—this is decisive for Hegel—laws that are validated and objectified only *through* freedom. Morality denotes actions that not only accord with moral principles but are deliberately undertaken for the sake of those principles. It is in this sense, Hegel maintains, that the proof of autonomous morality is freedom itself. Morality is based on a will able "to determine itself from itself."²¹ As Hegel also notes, Kant's practical philosophy affirms "the independence of reason or its absolute self-subsistence."²² Against a method that relies on exogenously supplied assumptions, Kant's practical reason is practical for itself—self-dependent and able to account for its reality through its own resources.

Hegel is certainly cognizant of the limitations of the Kantian model. If practical reason provides the model of a reason capable of determining itself, this is only in the most abstract and general sense, for the structure of Kantian philosophy disallows the possibility that autonomy or self-determination can be demonstrably objectified. In Kant's thought, reason can have as an object only what is given to the "conditioned" forms of spatiotemporal intuition, a state of affairs that precludes scientific apprehension of the unconditioned domain of freedom. At best, the principle of a reason able to determine itself remains an "Idea" for Kant, a subjective construct devoid of objective truth and authority.

Nonetheless, Kant does give currency to a speculative approach to practical philosophy. And even if Kantian practical reason may be deficient when measured on the standard of objective knowledge, this deficiency also attests to its peculiar merit. While practical reason cannot present itself to conditioned forms of intuition, its refusal to countenance external determination uniquely enables it to express the autonomy of reason. Indeed, in expressing the "concept of the absolute internality," practical reason reveals

its superiority to theoretical reason, which depends on material exogenously given.²³ In Hegel's words: "The free self-determination that Kant denied to the speculative, he has expressly vindicated for practical reason."²⁴

In this light, Kant clearly radicalizes the Hobbesian project. While Hobbes sought to free reason from its classical subservience to an order of nature, his own method relied on assumptions no less external to the grasp of reason. By contrast, Kant elaborates a notion of reason that is autonomous in itself and able to determine itself without recourse to external resources. In Hegel's characterization: "As practical, . . . Reason is independent in itself; as a moral being man is free, raised above all natural laws and above all the phenomenal realm."²⁵

Similarly, Kant radicalizes Hobbes's practical redefinition of the classical conception of theory. Kant does not merely assert that reason attains its highest expression in will rather than contemplation; he maintains that the supreme object of reason, the absolute, is a practical rather than theoretical concern. Aristotle held that access to the absolute—specifically, the idea of absolute self-causation—is obtained through theoretical reason, while practical reason attends to the conditioned, heteronomous concerns of life.²⁶ Although Hobbes rejected Aristotle's juxtaposition of theoretical and practical reason, he accepted the Aristotelian notion that practical philosophy has no truck with the absolute. Kant, by contrast, locates the unconditioned in the domain of practical reason, while restricting theoretical knowledge to that of conditioned experience. Kant's novelty, Hegel writes, lies in the fact that, he has "placed the absolute wholly within practical philosophy."²⁷

2. Hegel further lauds Kant's concept of pure practical reason for its conjunction of rational principles and ontological convictions. Whereas Hobbes's science of politics subordinates only the rules of practical life to rational principles, Kant provides tools to construe the substance itself as a rational determination. In his account, the domain of moral life—the unconditioned realm of freedom—only emerges with knowledge of the moral law. Only through deliberate subordination of one's will to moral principles does the domain of freedom assume reality. The *ratio cognoscendi* of the law is indeed the *ratio essendi* of freedom.²⁸ In Hegel's words, Kant's practical reason only attains objectivity when "proven through experience, . . . shown to appear within self-consciousness."²⁹ This is the basis for his claim: "the great element in the philosophy of Kant" is the equation of "the essence of right and duty and the essence of the thinking and willing subject."³⁰

Hegel does not exaggerate the substantive dimension of Kant's conception of practical reason. His accentuation of the abstract, excessively "formal" character of Kantian morality is indeed a philosophical commonplace. Because Kant understood self-determination as the absence of conditioning, he could embrace only an abstract concept of moral obligation. His is a concept of obligation that recognizes only an indeterminate concept

of duty (duty for duty's sake), one unable to specify the particular content moral conduct requires and presupposes. Certainly, Hegel notes, Kant did specify that the principles informing autonomous action must have a universal character. Yet his commitment to an indeterminate concept of autonomy permitted only an abstract and formal definition of universality, one based on the absence of contradiction. In this way, Kant left unspecified the substance of moral conduct and the desirability of moral principles. This omission is, for Hegel, particularly significant, given that application of the principle of non-contradiction tacitly presupposes—as Kant's own examples involving private property attest—the substantive desirability of certain ends and practices. At most, a principle of universality conceived in terms of non-contradiction supplies tools to test moral maxims and injunctions; it cannot generate the maxims and injunctions themselves, even though an account of duties requires just such generation. Kant's abstract concept of autonomy precludes acknowledging that in moral science "what is precisely of interest is to know *what* right and duty are."³¹

Still, Hegel argues, while Kant was insufficiently attentive to the substantive assumptions of moral conduct, he did ascribe concreteness to practical reason itself. Concreteness for Hegel denotes a unity of thought and being, where reality is infused with and exists through concepts. In this view, Kant's *theoretical* reason is not concrete. However much theoretical categories may constitute an object of knowledge, they function only by ordering material exogenously given to sense intuition.³² By contrast, practical reason is concrete, for it is "constitutive" of the practical sphere itself.³³ However abstractly, Kant presents the sphere of moral action as existing only through cognitive embrace of the moral law. Kant's practical reason "posits the universal determinateness, i.e., the good, within itself."³⁴ Hegel would accept Georg Lukács's assertion that "Kant's moral practice leads into the realm of ontology."³⁵

As regards Kant's relation to Hobbes: on the one hand, Hegel sees Kant regressing beneath the level attained by Hobbes, who did incorporate empirical, anthropological, and other substantive considerations into the framework of practical philosophy.³⁶ On the other hand, Kant surpassed Hobbes in ascribing to practical *reason* a determinacy and concreteness lacking in the Hobbesian account. While Hobbes understood political rationalism via rules regulating empirically given volitional conduct, Kant regards the will and, indeed, the entire moral domain as a product of reason. In Kant's practical theory, Hegel writes, "reason holds itself to be real."³⁷ Here, too, Kant moves from a geometrical to a "speculative" approach to practical philosophy.³⁸

3. For Hegel, appreciation of the concrete dimension of Kant's theory of practical reason must not focus just on the insight of the moral subject. Equal attention must be accorded action (*Handeln*). In a complete account, the will is fully autonomous only when it can perceive itself in the totality of its activities, when it discerns in the conditions according to which it must determine itself manifestation of its own selfhood.³⁹ In practical reason, Hegel writes, "the content of its own determinations belong to it and [reason] knows it for

its own.”⁴⁰ Yet the individual subject obtains this insight only in action, only by embodying purposes in external reality. Only in so shaping an external order can the individual experience that order as an expression and, indeed, realization of autonomy. For Hegel, willing is a process of “translating the subjective end into reality.”⁴¹ Proper thus to a cognitive account of the will is also an active dimension. The thinking capacity of the will is such that it must seek external objectification through action. Will is “implementing thought, . . . thought as translating itself into reality.”⁴²

In Kant’s thought, according to Hegel, the idea of objectified freedom is formulated most emphatically in the concept of the good. Moral obligation consists in making the good an object of one’s will. For an autonomous will, however, the good is objectified not just in internal self-legislation. Defined in a “universal manner,” the good attains its ultimate expression—its form as the “highest good” (*summum bonum*)—only when generally realized in external reality: “Practical reason not only posits the universal determination, i.e., the good, within itself; . . . it is only ‘practical’ in the proper sense, when it requires that the good exist in the world, that it have external objectivity.”⁴³ More particularly, implicit in the Kantian idea of the good will and the universality of practical reason generally is the demand that the external existence be rendered compatible with morality, and natural necessity with freedom.

The highest form in which the conception of the concrete comes into Kant’s philosophy is this, that the end is grasped in its entire universality; and thus it is the good. This good is an idea; it is my thought; but there exists the absolute demand that it should be realized also in the world, that the necessity of nature should conform to the laws of freedom, . . . that the world in general should be good. This identity of good and reality is the demand of practical reason.⁴⁴

Central to Kant’s highest good, Hegel also writes, is “the Idea that Reason does have absolute reality, that in this Idea the antithesis of freedom and necessity is completely suspended, that infinite thought is at the same time absolute reality—or in short we shall find the absolute identity of thought and being.”⁴⁵

In Hegel’s view, this reconciliation of freedom and necessity, morality and nature finds expression in the social-political order, “through what is right and moral in human life, through the state.”⁴⁶ Kant calls this a kingdom of ends (*Reich der Zwecke*). Here, individual desire and inclination coalesce with broader public duties.⁴⁷ In addition, individuals treat one another as ends rather than as means and with a reciprocity wherein the will of an other is viewed not as a constraint on but condition for individual autonomy. It is in this “living,” sociohistorical form of the good, that Hegel finds yet another dimension to the concreteness of Kant’s practical reason.

Against this backdrop Hegel also discerns in Kant’s theory an incipient reaffirmation of a concrete approach to practical philosophy itself. Such an

approach typified the work of classical Greek thinkers, above all Aristotle. In Aristotle's work, practical philosophy possessed a holistic character, one based on the systematic correlation and comprehensive interpenetration of the diverse components of social life: individual and community, morality and legality, ethics and economics, virtue and happiness, and empirical science and moral theory.⁴⁸ Methodologically, this philosophy employed organological tools able to forge ties between universal and particular, fact and value, reason and reality, parts and whole, and means and ends.⁴⁹ Such holism, in Hegel's words, attends to the "organic totality. . . of all the specific characteristics of practical and ethical life."⁵⁰

Hobbes did not develop an organological approach to practical philosophy; nor could he have, his heroic paean to production notwithstanding. Committed to an atomistic, mechanistic concept of nature, Hobbes banished teleological and organic considerations from the province of practical philosophy.⁵¹ Indeed, his scientific empiricism, as noted, presupposes and entails atomism. By contrast, Kant, in Hegel's view, provides the organistic-teleological tools to reaffirm a comprehensive, holistic approach to practical philosophy. With his notion of reason that is practical for itself and able to provide for its own reality, Kant furnishes means to conjoin fact and value, universal and particular, and nature and purpose. With such tools, Kant's practical philosophy culminates in a conception of the highest good that, in the footsteps of its Aristotelian precursor, indicates an organic relationship of happiness and virtue, individual and community, legality and morality, and normative theory and empirical political science.

Hegel realizes, however, that any Kantian revival of the classical tradition of practical philosophy represents a radicalization rather than rejection of the Hobbesian legacy. Like Hobbes, Kant had little interest in the organic-teleological naturalism that informed Aristotle's conception of practical philosophy. This had been rendered illicit by modern science and mechanistic accounts of nature. Kant's position is significant because it employs organic-teleological tools while adhering to principles Hobbes invoked when debunking accounts of practical philosophy based on organic teleology: will, artifice, and reason. Fully within the modern tradition, Kant maintains that practical reason itself provides the tools for a holistic and organically structured practical philosophy. With the idea of pure practical reason, Kant furnishes the means, in Hegel's words, to set reason "in harmony with nature, not by having reason renounce itself or become an insipid imitator of nature, but by having reason recasting itself into nature out of its own inner strength."⁵²

III

From a Hegelian perspective, Kant's practical philosophy represents a multiple advance on Hobbes's already estimable effort to place practical philosophy on theoretical foundations. With the notion of a reason practical

for itself, Kant supplied practical philosophy with a method that is self-grounding and able to avoid the dogmatism of an approach that, modeled on geometry, can only assert its first principles. Similarly, the notion of a self-determining or self-objectifying reason allowed Kant to indicate, as Hobbes could not, how the content as well as form of practical philosophy can be rationally stipulated. This notion also furnished, as Hobbes's "scientific empiricism" did not, the organological tools needed for a holistic, genuinely "concrete" account of practical philosophy. All are respects in which Kant charted a course from a geometric to a "speculative" approach to practical philosophy.

Yet if Kant showed the way, he did not, in Hegel's view, travel it himself. Given the structure of his thought, he could not do so—as his account of the highest good reveals. With its distinction between theoretical and practical reason, Kant's thought is architectonically committed to a systematic separation of freedom and necessity, mechanism and purposiveness, eternity and time, duty and inclination, and moral and legality. As such, it can accommodate neither an actual realization of a highest good nor a holistic approach to practical philosophy.⁵³ The idea of a highest good is, for Kant, only an idea, a subjective desideratum that claims no foothold in reality. Though Kant invokes the notion of a realized realm of ends, he does so only subjectively, as only *our* good and *our* reason; barred is the external objectivity required for the reconciliations presupposed in a comprehensive conjunction of the disparate elements of societal existence.⁵⁴ A holistic approach to practical philosophy requires conceptual tools able to reconcile fact and value, reason and reality. In Kant's thought, such reconciliation, while intimated, "remains only a Beyond, a thought which is not actually in existence, but only ought to be."⁵⁵

Certainly, to ensure that efforts to realize the highest good were not dismissed from the outset, Kant did supplement his practical philosophy with the three now famous postulates—God, freedom, and immortality. Freedom is postulated to accommodate unconditioned causation, God to assure that human history has direction, and immortality to assure temporal realization of the ultimate. Yet, for Hegel, Kant's postulates have no more reality than the ends whose realizability they were invoked to bolster. While action in pursuit of the highest good may well be inspired by belief in the postulates, such belief is not rationally defensible within the framework of Kantian thought. What Hegel said of the postulate of God applies to all: they are "accepted by consciousness for the sake of harmony, just as children make some kind of scarecrow and then agree with each other to pretend to be afraid of it."⁵⁶ In all cases, the postulated "harmony is . . . merely subjective, something which merely ought to be—a mere article of faith, possessing a subjective certainty, but without truth, or that objectivity which is proper to the Idea."⁵⁷ While Kantian philosophy contains the *seeds* for a modern, "scientific" grounding of practical philosophy, the systematic structure of that philosophy prevents their germination. Its merits

notwithstanding, Kantian thought “proved unable to awaken Reason to the lost concept of genuine speculation.”⁵⁸

For Hegel, then, the task of a modern account of practical philosophy is to extend to the entire domain of social and ethical life insights that for Kant had only regulative import or were restricted to the realm of unconditioned experience. Hegel's *philosophia practica universalis* can be seen as an effort to reestablish thoroughly and systematically the internal connections central to the classical conception of practical philosophy, but in a way that derives from freedom rather than cosmological assumptions, from reason rather than nature.

Hegel might have approached this task merely by extending the Kantian notion of ethical autonomy so as to bear on domains Kant placed beyond the ken of practical reason. Elements of this position are discernible in the work of Fichte, who championed more vigorously than Kant “the primacy of practical reason.”⁵⁹ And it is a strategy that Hegel himself appears to have favored at one time.⁶⁰ In his pre-1800 Bern and Frankfurt writings, he asserted that the problems of Kantianism could be resolved by extending or “applying” Kant's idea of practical reason. As he wrote in a letter to Schelling: “From the Kantian system and its highest completion I expect a revolution in Germany. It will proceed from principles that are present and that only need to be elaborated generally and applied to all hitherto existing knowledge.”⁶¹

For Hegel, the Kantian dualisms could be surmounted by further developing Kant's theory of the postulates of practical reason, of which Kant “had given only an *example*, not *completed*.”⁶² Hegel's aim was to determine “how to satisfy both the postulate according to which practical reason governs the world of experience and the remaining postulates as well.”⁶³ Kant, invoking the postulate of human freedom, was able to account for a realm of moral activity while not explicating its relationship to reality as a whole. He was therefore forced to appeal to metaphysical postulates devoid of objective validity, those of God and immortality. By contrast, Hegel subordinates the postulates to a theory oriented to the concrete realization of the highest good. The idea of highest good—for Hegel the kingdom of God—can now be realized without postulating the idea of human immortality: “May the Kingdom of God come, and our hands not be idle. . . . Reason and Freedom remain our password, and the Invisible Church our rallying point.”⁶⁴ The metaphysical postulates that were a subjective *pre-supposition* of human freedom now become an *object* of freedom itself. This is the basis for Hegel's claim that “the entirety of a future metaphysic falls in *morality*.” It also underlies his assertion that “ethics becomes nothing else than a complete system containing all ideas or, what is the same, all practical postulates.”⁶⁵

In subsequent writings, Hegel abandons this approach. In fact, he comes to regard a solution predicated on an expanded concept of practical reason as itself a form of the problem. An attempt to resolve the problems

of modern bifurcations through the aegis of *practical philosophy* is necessarily ineffective, for it perpetuates those very dualisms.⁶⁶ Committed exclusively to the normative question of what *ought* to be achieved, practical philosophy confesses that any actual achievement is inconceivable and beyond its ken. It is the nature of practical philosophy that the dualisms of reason and reality, actuality and possibility, freedom and necessity, and self-determination and causality cannot as such be overcome. At most, the system of practical philosophy, as the philosophies of Kant and Fichte demonstrate, is a subjective reconciliation of opposites. Lacking, however, is a real or objective unity, one where reality is understood not only from the perspective of thought but from reality itself, not only cognition but being.⁶⁷ In Hegel's words, reconciliation in a system of practical philosophy is achieved only conceptually, and not as an Idea, the unity of concept and being. "The Kantian and Fichtean philosophies were able to raise themselves to the concept certainly, but not to the Idea, and the pure concept is absolute ideality and emptiness."⁶⁸ Indeed, from the standpoint of the Idea, practical philosophy is committed not to unity but to opposition. The real is posited outside reason, which in turn subsists in its difference from it. In philosophies predicated on the primacy of practical reason, the real principle is "a non-identity of ideal and real . . . non-identity is raised to an absolute principle."⁶⁹

The point is central to Hegel's reception of Kant's *summum bonum*. As we have seen, Hegel claims that Kant's highest good expresses the unifying principles required of a comprehensive approach to practical philosophy. But, Hegel notes, because Kant conceives the highest good in the context of a practical philosophy, he assures its unrealizability. As a goal to be realized, the Kantian realm of ends remains a norm forever contraposed to actuality. The highest good is, for Kant, a matter of practical faith, meaningful only in the framework of a *moral* theology. It cannot attain the level of the "physicotheology" presupposed for any true reconciliation of reason and reality, freedom and necessity.

While Kantian practical reason touches on the absolute, it does so only in the sense of *our* good, *our* practical reason; still lacking is the intrinsic rationality appropriate to the Idea itself, the true unity of concept and existence.⁷⁰ In the practical sphere, reason is oriented to the "objectification of an inwardness still burdened with the form of subjectivity."⁷¹ Its deficiency is "that the spontaneity of its self-fulfillment means no more than a general and abstract ownness (*die seinige überhaupt*), not yet identified with developed reason."⁷² A realization of inner purposiveness mandates moving beyond a system that casts "the speculative Idea into the humane form where morality and happiness are presumed to harmonize."⁷³ It is necessary to shift from a practical to a "speculative" means of reconciling differences.

In this context, Hegel's discussion of the "Idea of the Good" in the *Science of Logic* is apposite. Also termed the "Practical Idea," the Idea

of the Good is a form of the Idea, for it does express the unity of thought and being, subject and object. Basic to the practical Idea is attaining reality for reason, objectivity for the subject. Nonetheless, the practical Idea cannot express the unity essential to the Idea proper. Precisely because it is a norm, the Idea of the Good can never be fully attained. Its status as the Good would be forfeited if the Good ever attained complete realization. The Good "requires that its Ends should not be realized."⁷⁴ Moreover, the Good is barred from achieving closure even if it does find external realization. The nature of a practical realization of reason is that it perpetuates the dualisms it strives to surmount. In its practical employment, reason is realized only for reason (*für sich*); reason is not yet realized for reality itself (*an und für sich seinende*). From the perspective of practical reason, reality as it is in and for itself is merely the means to realize an alien rationality. In keeping with the subjectivism that is to be overcome, reality itself has no intrinsic truth. The realized good "gets no further than a means; since in its beginning it is not an end already determined in and for itself, it remains even when realized an end that is not in and of itself."⁷⁵ Indeed, since the reality created is just a thing for thought, the existence in question remains an "intrinsically worthless externality, in [which] the good has only attained a contingent, destructible existence, not a realization corresponding to the Idea."⁷⁶ A practically realized good reaffirms the dichotomies to be surmounted.

The Idea of the realized good is, it is true, an *absolute postulate*, but it is no more than a postulate, that is, the absolute afflicted with the determinateness of subjectivity. There are still two worlds in opposition, one a realm of subjectivity in the pure regions of transparent thought, the other a realm of objectivity in the element of an externally manifold actuality that is an undisclosed realm of darkness.⁷⁷

IV

For his part, Hegel maintains that practical philosophy must be replaced by a different approach to social and ethical life, a theory of Objective Spirit. A theory of Objective Spirit is, *inter alia*, distinguished from traditional practical philosophy by its sociohistorical dimension. It does not construct reason for reality; it identifies the reason existing and attaining existence in reality itself.⁷⁸ Only such an approach can fulfill the claims of totality implicit in the concept of practical reason. Only an account that sees contradictions as resolved in existence itself, and not just in thought, can properly surmount the dichotomy between reason and reality, and without reaffirming it at another level. Philosophy is "the exploration of the rational," and "is for that very reason the apprehension of the present and the actual, not the apprehension of a beyond supposed to exist."⁷⁹ Precisely

because practical philosophy seeks to comprehend the unity of thought and being, it must attend to historically existing reason. Philosophy, particularly a holistic practical philosophy, is its own time apprehended in thought.⁸⁰

The distinctiveness of a doctrine of Objective Spirit is captured more systematically in its formal definition: the unity of practical and theoretical reason.⁸¹ A holistic approach to social and ethical life cannot just be a practical concern. As the exploration of the rational, the doctrine of Objective Spirit is also the *apprehension* of the present and actual. Systematic practical philosophy must assume the form of *Zeitdiagnose*, conceptual clarification of the age. To neglect theoretical analysis of the present is again to condemn practical philosophy to an abstract normativity inimical to its own implicit claims to concreteness and totality.⁸² What has been called Hegel's "radical transformation of the character of practical philosophy"⁸³ consists precisely in recognizing that the latter's claims can be met only when moral and political thought commits itself to the "comprehension of that which is."⁸⁴

None of this implies that Hegel renounces the traditional concerns of practical philosophy.⁸⁵ Adoption of a theory of Objective Spirit does not entail abdication of normative considerations in favor of what Habermas termed a "world-historically enlightened quietism."⁸⁶ Such views misrepresent the normative dimension of the process of *Begreifen*, whose task is not to ratify existing conditions but to scrutinize them in terms of the degree to which they correspond to their true and rational nature. Philosophy comprehends that which is, yet this is not mere existence (*Dasein*) but genuine being (*wahrhafter Sein*) or actuality (*Wirklichkeit*): that emerging from an existence purged of adventitious attributes and joined to its concept.

The point is central to Hegel's political organicism. On the one hand, he acknowledges that philosophy always confronts an existing social totality. His insistence on viewing existing societies holistically is one of his chief bequests to later social science. On the other, his science of existing social reality entails no acceptance or endorsement of a given totality. For Hegel, an empirical totality is invariably one-sided and deficient from the standpoint of its true reality. It may express the principle or concept of the whole, but is not the whole itself.⁸⁷ This is particularly the case in the modern world, where social life is typically "organized" by means of the bifurcating tools of analytic understanding. Achievement of a genuine totality requires that an existing social totality be conceptually deconstructed or dissolved and then reconstituted from the standpoint of reason. This is the procedure that informs Hegel's treatment of modern civil society. Here an existing (pseudo) unity of universal and particular is reconstructed so that individuals may come to regard others and society generally not as an impediment to but a condition for freedom and identity. In this case, as in others, a given absolute attains its truth—its status as an "absolute-absolute"⁸⁸—only through normative reconstruction.

From this perspective, there is no *prima facie* reason to argue that Hegel's rejection of practical philosophy in favor of a theoretically defined doctrine of Objective Spirit eliminates the normative concerns traditionally associated with practical reason. For Hegel, those concerns are only realized when practical philosophy is construed as a theoretical comprehension of existing historical conditions. In a theory of Objective Spirit the normative conjunction of reason and reality championed by practical philosophy is achieved not in constructed opposition to existing relations but through their reconstruction. Likewise, the standards that inform such analysis are not externally juxtaposed to given conditions but gleaned from aspirations and potentials discernible in them. In addition, the project finds its validation not in its own autarchic activity but with reference to developments ascertainable in experience itself. In all cases, the claims of practical reason are realized in the theoretical effort to comprehend that which is. "[T]he Idea of the Good can . . . find its completion only in the idea of the True,"⁸⁹ in a holistic theory committed to conjoining rather than contraposing concept *and* existence.

In explicating his own account of practical philosophy, Hegel often invokes Montesquieu, who, he maintains, sought to forge organic ties between all elements and spheres of political life. "Montesquieu stated the genuinely philosophical viewpoint, that legislation in general and its particular determinations should not be considered in isolation and in the abstract, but rather as a dependent moment within *one* totality."⁹⁰ Montesquieu's particular version of a speculative practical philosophy held little appeal for Hegel. He invoked Montesquieu only to criticize the abstractions and dichotomizing tendencies of classical Enlightenment political thought.⁹¹ Of itself, Montesquieu's thought ran afoul of modern science and mechanistic concepts of nature, both of which rendered illicit, as Hobbes and Kant made clear, the organicist naturalism informing *De l'esprit des lois*. An organic approach to practical philosophy is, for Hegel, tenable only with methodical tools able to forge ties between elements of social life whose systematic interrelationship can no longer be accepted as given. The spirit of laws can now find sustenance only in a scientific system of ethical life.⁹²

In this respect, Hegel remains fully within the tradition of modern political science initiated by Hobbes. His specific allegiance, however, was to Kant, whose practical philosophy supplied theoretical tools able to conjoin organically the disparate elements of social life. Yet Hegel was not attracted to Kant's specific solution, which juxtaposed moral-normative and empirical-political considerations. In formulating a concept of practical spirit that "is objective and actual to itself as an organic totality *in laws and institutions*,"⁹³ Hegel supplemented Kant's practical knowledge with an explicitly theoretical sort. Through this expanded concept of practical philosophy, through the theory of Objective Spirit, organic holism is not juxtaposed to existing historical conditions; it is fashioned

through a theoretical reconstruction, in which elements of existing reality are analyzed and assessed from the standpoint of reason. Hegel's "scientific proof of the state"⁹⁴ flows from the conviction that the speculative aims implicitly developed in Kant's practical philosophy can be realized only by surmounting practical philosophy itself.

V

In his 1857 work *Hegel und seine Zeit*, Rudolph Haym reproached Hegel's political philosophy for subordinating practical philosophy to the dictates of contemplative theorizing.⁹⁵ This chapter has challenged this reading, one that has also been advanced by thinkers from Marx to Habermas, among others. While not denying the theoretical dimension of Hegel's practical philosophy, I have challenged the contention that his theoretical rendering of such philosophy does injustice to practical reason itself. Keying on his relation to Hobbes and Kant, I have argued that Hegel's scientific approach to politics is best construed, not as a speculative retreat from practical concerns, but as a further development and attempted completion of the approach to practical philosophy initiated by his modern predecessors. Certainly Hegel's theory of Objective Spirit is also a renunciation of the tradition of practical philosophy. Yet his concomitant accentuation of theory is itself not a denial of the concerns of practical philosophy but an effort to accommodate, more systematically than did his predecessors, the totality of moral-political life and the reality of modern sociohistorical experience.

Hegel's position should also be distinguished from its current portrayal by neo-Aristotelian⁹⁶ and neo-pragmatic interpreters.⁹⁷ While correct to note the action-oriented, historically situated focus of Hegel's doctrine of Objective Spirit, such interpreters incorrectly assume that Hegel champions this dimension in opposition to the cognitivist and intellectualist component of modern practical philosophy.⁹⁸ For Hegel, the turn to action and history stems from a deeper appreciation of what is involved in the meritorious effort to render practical philosophy theoretical. Indeed, the modern tradition is for him problematic not because of its scientific dimension but because it is insufficiently scientific, because it lacks a conception of reason able to comprehend the totality of social-historical life.

A complete account of Hegel's theoretical rendering of practical philosophy would have to consider many additional issues, for example: the concept/idea of Objective Spirit and its specific conjunction of theoretical and practical reason; the implied notions of theory and practice; the legitimacy of rendering practical philosophy scientific; the question of whether theory and practice can or should be conjoined by any other than theoretical means. What I hope to have demonstrated, however, is that Hegel's

scientific approach to practical philosophy is not *ab ovo* dogmatic, is central to his political thought, and merits further consideration. In addition, appreciation of Hegel's *Aufhebung* of the Hobbesian and Kantian projects reaffirms a thesis not always acknowledged in contemporary practical philosophy: a critique of classic modern political thought can be intelligibly fashioned with the tools of modernity itself and does not require recourse either to the premodern or the postmodern.

8 Hegel's Concept of Virtue

In considerations of Hegel's practical philosophy little attention has been accorded his account of virtue.¹ This is not surprising, for Hegel himself gives virtue little systematic consideration. Although he does formulate a "doctrine of virtue" in his main work of practical philosophy, the *Philosophy of Right*, he devotes only one paragraph to its elaboration. Moreover, that formulation is placed in the section on Ethical Life (*Sittlichkeit*), which is characterized both by its emphasis on the institutional dimensions of practical philosophy and derogation of matters of subjective sentiment and individual morality. Also, Hegel's political philosophy culminates in an account of world history seemingly indifferent to questions of virtue. History is "an altar on which . . . the virtue of individuals [is] slaughtered."²

If understandable, however, scholarly neglect of Hegel's account of virtue is unfortunate. Proper understanding of this account is central to any appreciation of Hegel's theory of the state, which he presents as a coordination of objective institutional structures *and* the subjective sentiment expressed by virtue.³ In addition, appreciation of Hegel's concept of virtue can enrich debates in practical philosophy today. Anticipating the work of some contemporary moral theorists, Hegel sought to revive elements of Greek virtue ethics. But he did so in a way arguably more sensitive to the problems involved in reviving the classical project under the changed conditions of modern social life. Appreciation of Hegel's position can thus illuminate and help evaluate contemporary efforts to reaffirm the classical tradition of virtue ethics.

In this chapter, I adumbrate the rudiments of Hegel's account of virtue, culling his "theory" from the entirety of his moral and political writings. I focus principally on his concept of civic or political virtue, which he considers the preeminent expression not only of Greek virtue ethic but virtue generally. My aim is to examine the specific way in which Hegel reconstructs the Greek concept so as to accommodate the realities of modern social life. I argue that while Hegel seeks to revive the Greek tradition, he claims that it neither can nor should be directly transposed onto modern conditions. In his view, civic virtue is now tenable, not by following the Greek appeal to a public concept of human nature, but by addressing the realities of modern individualism.

But I also challenge the view that Hegel thereby renounces republican virtue in favor of rectitude, the legalistic form of public spiritedness associated with bourgeois individualism. I claim instead that Hegel presents civic virtue as a form of *modern* republicanism, one where genuine public spiritedness flows from reflection on the meaning of individual rights and liberties themselves. I argue further that this reflexive, more “mediated” approach to political sentiment not only does not preclude the “organicism” and “trust” common to conventional accounts of an individual’s patriotic commitment to community, but allows for their possibility. Similarly, I explicate Hegel’s contention that modern social complexity, while precluding the “direct” relationship of individual and community presupposed in Greek civic virtue, not only permits republicanism, but provides for its modern and, indeed, general possibility. I conclude by considering the value of a proper appreciation of Hegel’s theory of civic virtue, focusing on its contribution to contemporary discussions of patriotism. I also note Hegel’s possible contribution to current reflections on republicanism.

I

Like many of its contemporary proponents, Hegel regards virtue ethic as an antidote to the rigorism of Kantian deontology. In virtue theory, he argues, moral conduct is understood not as compliance with external laws and imperatives, but as the expression of individual talents, aptitudes, and dispositions. Virtue denotes less a fulfillment of duties than the flourishing of character traits. Unlike some proponents of virtue theory, however, Hegel does not define virtue in opposition to objective norms and duties. He claims rather that in genuine virtue, subjective character traits coincide with such norms and duties. As he notes when criticizing Kant’s distinction between reason and inclination, “we call it virtue when the passions are so related to reason that they do what reason commands.”⁴ Similarly, external norms are not discarded but redefined to express the goal of individual fulfillment. Here “ethical norms are simultaneously matters of character.”⁵ The virtuous individual flourishes by complying with objective norms, which in turn express subjective sentiment. Indeed, in virtue, Hegel maintains, personal inclination and objective norms shed their opposition. Virtue “is a synthesis in which the law loses its universality and the subject its particularity.”⁶

Hegel acknowledges different types of virtues, for example, intellectual, moral, religious, and heroic.⁷ His predominant tendency, however, is to view virtue in republican fashion, as political or civic virtue.⁸ Virtue, for Hegel, takes the form of public spiritedness, political sentiment, or patriotism, where the individual freely wills communal ends, just as he or she regards the ends of community—the “ethical substance”—as expressing his or her own subjective desires. Virtue denotes the form of subjectivity “whose entire particularity is permeated by its substantial

life."⁹ This is why Hegel includes virtue in a broader conception of social and political theory, why "the subject matter of morality is completely contained in natural law."¹⁰ Indeed, far from demarcating it from public norms, Hegel simply defines virtue as the subjective dimension of the ethical substance, genuine political community.¹¹ "Virtue is the ethical order reflected in the individual character so far as that character is determined by its natural endowment."¹²

Following thinkers such as Machiavelli, Montesquieu, and Rousseau, Hegel holds that republican virtue found exemplary expression in the world of classical antiquity. For the Greeks, virtuous character and public obligations constituted a "natural unity." Referring to the unity of external and internality embodied in classical sculpture, Hegel likens Greek virtue to a "work of art," where public duties and subjective capabilities harmoniously coalesce, where "the ethical is at the same time character, sentiment, inclination, drive—that identical with the particular personality."¹³ On the one hand, individual self-fulfillment took the form of public engagement. "The idea of his country or his state was the invisible and higher reality for which he strove, which impelled him to effort; it was the final end of *his* world or in his eyes the final end of *the* world, an end which he found manifested in the realities of his daily life or which he himself cooperated in manifesting and maintaining."¹⁴ For "the wisest men of antiquity," Hegel notes, "to be ethical is to live in accordance with the ethics (*Sitten*) of one's country."¹⁵ For the Greeks, Hegel repeats, the best way of educating an individual in ethical conduct is to "make him a citizen of a state with good laws."¹⁶ On the other hand, Hegel maintains that objective norms found immediate expression in individual volition. "It is with the Greeks that we observe virtues, in which the norms of ethical life are simultaneously matters of character."¹⁷ Indeed, the continuity between public morality and private virtue was so self-evident that the norms of public life were understood as "a natural description of the virtues."¹⁸

Hegel acknowledges that virtuous sentiment is not a matter of empirical psychology; civic virtue was not a natural given but had to be cultivated. Still, the relationship of personal character and public duties was for the Greeks sufficiently manifest so that moral education does not extirpate a given nature but contributes to its organic self-realization. "Virtue is indeed cultivation, disciplining the spirit of the individual, whereby, however, the product emerges in an entirely natural way."¹⁹ In the states of antiquity, the cultivation of civic virtue assumed the form of "a *natural history of spirit*."²⁰

In Hegel's view, the Greek concept of civic virtue attained its philosophical expression in the writings of Plato and Aristotle.²¹ Both understood individual morality in terms not of external commands but the perfection of individual character. Both maintained that the individual best flourishes when contributing to the welfare of the political order.²² Both saw ethics as a matter of politics, and both based their understanding of civic virtue

on an account of human nature. For Aristotle, Hegel notes, "the whole is by nature prior to the parts,"²³ while for Plato "the ethical substance . . . constitutes the spirit, life and being of individuality."²⁴ Hegel recognizes differences between the two positions. Civic virtue, for Aristotle, rests on an explicit definition of man as a political animal, whereas Plato analogizes between justice in the soul and justice in the state.²⁵ In addition, the political dimension in Plato's account is linked to a set of virtues derived from the functional requirements of an individual's membership in a social class. In their own way, however, each understood virtue as a "natural unity" between public obligations and individual character.²⁶ Hegel would certainly second Alasdair MacIntyre's assertion that Plato and Aristotle both "take it for granted that the milieu in which the virtues are to be exercised and in terms of which they are to be defined is the *polis*."²⁷

II

Attracted though he is to the Greek concept of virtue, Hegel does not advocate its direct rehabilitation. Such revival, he claims, is impossible under modern conditions, for modernity is characterized precisely as the destruction of the cosmological assumptions central to the Greek position. Greek virtue ethic developed against the backdrop of a teleological account of nature predicated on the purposively ordered connection of all, even disparate, entities. Against this setting, the individual would naturally fulfill himself in community; analysis of individual morality was simultaneously an account of political relations and normative virtue theory dovetailed with investigation into the natural order. By contrast, modernity—characterized by Hegel with the concept of bifurcation (*Entzweiung*)—repudiates assumptions of underlying cosmological meaning and purposiveness. Emerging in the wake of economic individualism, political liberalism, Protestant subjectivity, nation-state centralism, and, above all, mechanistic accounts of nature, modernity supplanted antiquity's "enchanted" commitment to organic unity with a disenchanting recognition of the epistemological and ontological primacy of dichotomy. If ancient thought presumed the harmonious account of the relationships of *inter alia* individual and community, ethics and politics, state and society, natural law and positive political science, reason and reality, thought and being, and fact and value, modernity rests on their systematic polarization.

Against this backdrop, efforts at direct revival of the Greek doctrine of virtue are otiose. Certainly, the normative naturalism sustaining the Hellenic concept of civic virtue can no longer be invoked. A world stripped of intrinsic purpose and intelligibility is inhospitable to any effort to derive ethical norms from analysis of natural motivation. Whereas Aristotle, with his "golden mean" between excess and deficiency, located principles of virtue by scrutinizing empirical reality, Hegel denies that empirical accounts

of behavior can now yield prescriptive insight.²⁸ "Because virtues express the particularity of the individual, they are imbued with contingency, and thus have no criterion (*Maß*) in themselves."²⁹

Similarly, bifurcation undermines the naturalism that enabled the Greeks to view republican sentiment as a matter of philosophical anthropology.³⁰ In the absence of teleological accounts of nature, individual self-fulfillment no longer directly affirms a public telos.³¹ In a world sundered between public and private, individual self-realization becomes first and foremost a subjective matter, while elaboration of public duties demands an explicitly political account of obligations, one distinct from vicissitudes of individual moral conduct. Against the Greek tendency to view public virtue as a matter of "simple natural ethicality,"³² Hegel claims that under modern conditions, the theory of individual morality—Kantian ethics is a good case in point—inevitably "excludes" the doctrine of public virtue.³³ If construed as a doctrine of ethical naturalism, virtue theory is now intelligible only as an account of private virtues—"special character, temperament, etc."³⁴ In a bifurcated world, individual flourishing is relegated to personal talents (virtuosity) or to features of individual biography, e.g., frugality, perseverance, generosity.³⁵

Hegel is not suggesting that conflicts between individual and community were unknown to premodern societies. Nor does he deny the premodern privatization of virtue. He gives extensive consideration to the way in which the bond between individual existence and public life characteristic of the ancient city-state was severed in the emergence of the Roman Empire.³⁶ He also details how the concomitant rise of Christianity, with its doctrine of the other-worldly salvation of the individual soul, entailed a private redefinition of the concept of virtue.³⁷ His thesis is simply that only in modern societies do dichotomies like those between individual and community assume that systematic form of *bifurcation*. Premodern dichotomies should be understood as forms of *positivity*, the historico-institutional estrangement of man from his real nature. Only in the modern world do such dichotomies assume a metaphysical-ontological dimension, one affecting the concept of human nature itself.³⁸ Only now does dichotomy denote "a *reality* that is itself broken in two" (*eine entzweigebroche Wirklichkeit*) and not just a disparity between man and his true being.³⁹ Bifurcation, for Hegel, is an irrevocable "fate,"⁴⁰ one that vitiates efforts to ground public virtue in nature,⁴¹ and renders illicit direct rehabilitation of Greek republicanism.⁴²

Hegel's point, however, is not just that revival of Greek civic virtue is impossible under conditions of modernity, but that it is not even desirable. To reaffirm a principle of civic virtue based on the direct identity of individual and community is to deny the distinctive feature of modern life, "the principle of the self-subsistent and inherently infinite personality of the individual, the principle of subjective freedom."⁴³ Subjective freedom—individual rights, moral responsibility only for deliberate actions, the right to criticism—"is

the pivotal and focal point in the difference between antiquity and the modern age."⁴⁴ A viable account of public virtue in the modern world must also accommodate the individual's rights over or against the general community. Public virtue is now justified not in opposition to subjective freedom but only in its further development. It is for this reason, Hegel claims, that egoism and—following Montesquieu—even ambition must now be incorporated into the doctrine of civic virtue.⁴⁵ An account of republicanism that fails to honor the right of subjectivity has little prospect of acceptance, for individuals “take no part in public affairs if they do not therein find their self-interest.”⁴⁶ Under modern conditions, the Greek model of civic virtue might strike a responsive chord among isolated sects disposed to exceptional acts of self-sacrifice; it could find no general foothold in a world whose reality revolves around principles of economic individualism, political liberalism, and Protestant subjectivity.⁴⁷ Indeed, a concept of civic virtue incompatible with the “circumstances of ordinary life”⁴⁸ is inevitably compromised. Invoking an unattainable standard, this notion undermines the desirability of public engagement, and thus contributes to the privatism it combats.⁴⁹

Thus, though Hegel remained committed to ideals of republican virtue advanced by the Greeks, he considered its direct rehabilitation neither possible nor desirable. A modern concept of civic virtue must now recognize what was of little concern for the Greeks: the opposition of universal and particular, public and private. “The claims of separation must be admitted just as much as those of identity.”⁵⁰ The task now is to account for public duties while respecting individual rights and liberties. It is to counsel republican engagement while recognizing that public spiritedness is now tenable only as an expression of ordinary life-practice, not an act of heroic self-sacrifice. It is to demand participation in public affairs while acknowledging that the distinction between individual and community, state and society, neither can nor should be fully overcome.

For Hegel, this task is more difficult than that confronting the Greeks;⁵¹ it also requires different tools. While, for the Greeks, public virtue could reflect an existing natural unity, for modern consciousness it becomes a matter of conceptual reconstruction. When the real reverberates with a “discordant note” (*Mißton*), the need emerges for “conceptual justification” (*die Rechtsfertigung durch den Begriff Bedürfnis ist*).⁵² It takes the form not of a depiction of a natural order, but a cognitive reflection on conditions for modern subjectivity. Appreciation of Hegel's reflexive account of civic virtue is enhanced by considering difficulties that he claims beset other modern reaffirmations of republican virtue.

III

Hegel criticizes the modern discourse on civic virtue for its failure to reconcile properly subjective sentiment and substantive norms. He develops

this argument by examining the seeming public spiritedness of eighteenth-century reformers and ideologues intent on championing the welfare of humanity against the excessive subjectivism of modern social life, termed by Hegel "the way of the world."⁵³ In his view, such efforts were bound to fail. Reformers sought to improve existing reality by challenging its individualism, and yet failed to see that the basic principle of social reality is individualism itself. "The 'way of the world' was supposed to be the perversion of the good because it had individuality for its principle; only individuality is the principle of the *real* world."⁵⁴ Hence, any challenge of existing reality becomes an abstract utopianism idly juxtaposed to the reality it seeks to change. In the ancient world, civic engagement, however opposed it may have been to *a* way of the world, was not opposed to reality itself. It always had "foundation in the spiritual substance of the nation, and for its purpose an actual good already in existence. . . . [I]t was not directed against the actual world as against something *generally perverted*, and against a 'way of the world.'"⁵⁵ In their efforts, ancient reformers sought to vindicate an already existing principle. But when virtue asserts itself against *the* way of the world, it recurs to an "idea of good that exists only in principle," a state of affairs that undermines the public engagement it champions.

Hegel thus argues that the virtue of modern reformers is really no virtue at all. Hegel understands virtue as the synthesis of personal character and objective norms, subjective sentiment and spiritual substance. Abstractly juxtaposed to existing reality, the virtue of reformers "has its being outside spiritual substance," and is thus "an unreal virtue, a virtue in imagination and name only."⁵⁶ Lacking "substantial content," modern virtue is nothing more than the empty rhetoric of those who glory in "pompous talk about doing what is best for humanity, about the oppression of humanity, about making sacrifices for the sake of the good and the misuse of gifts."⁵⁷ In this sense, the imaginary, unreal virtue of modern reformers is actually virtue's antithesis: vice.⁵⁸ The fate of reformist virtue is that it succumbs to the very egoism it attacks. Battling a deactualized reality in pursuit of a nonexistent good, self-styled advocates of virtue have no goal save promoting their own vanity and sense of self-satisfaction. Their declamations reveal that "the individual who professes to act for such noble ends and who deals in such fine phrases is in his own eyes an excellent creature—a puffing-up which inflates him with a sense of importance in his own eyes and in the eyes of other, whereas he is, in fact, inflated with his own conceit."⁵⁹

Modern reformers thus contribute to the very subjectivism they seek to eradicate. Inasmuch as appeals to virtue instantiate the personal vanity in question, reformer through their conduct "pervert the already perverted way of the world."⁶⁰ Moreover, Hegel notes, modern virtue can maintain its oppositional stance only presupposing the existence and continued presence of the vices it purports to eliminate—reason why its proponents cannot be too energetic about their elimination. "[T]he knight of virtue's own part in the fighting is, strictly speaking, a sham-fight which he *cannot* take

seriously.”⁶¹ Indeed, because the virtuous knight can assert his nobility only in the face of worldly perversion, he must, as a condition of his own existence, work to maintain and perpetuate the forces he purports to combat. “[N]ot only can [virtue] not use its own weapons, it must also preserve intact those of the enemy and protect them against its own attack, for all are noble parts of the good, on behalf of which it went into battle.”⁶²

Hegel's discussion of civic virtue of modern reformers anticipates his criticism of the French Revolution, when ideologues and men of principles (*Prinzipmänner*) sought to establish a Republic of Virtue.⁶³ For Hegel, the Jacobin reaffirmation of republican virtue also foundered on a failure to mediate between subjective sentiment and substantive political life. Yet, whereas reformers were content merely to juxtapose their ideals to existing reality, Jacobin subjectivism *a limine* attacked existent reality itself. Rhetorical declamations about the wholesale perversity of existing reality culminated in a direct effort to translate reason into reality, and this led not only to the annihilation of “the whole subsisting social order,” but—given the opposition between subjective sentiment and substantive order—a perpetual destructiveness capable of “neither a positive work nor deed.”⁶⁴

The destructive fury endemic to this attempted reaffirmation of republican virtue was, for Hegel, most evident in the terror struck by Jacobin surveillance of virtuous character. In a bifurcated world, action and intention, inner and outer life, no longer form a natural bond. Public conduct cannot be taken as a sign of subjective sentiment. Indeed, the two are often in opposition, as with hypocrites who subjectively pursue private ends through actions that only appear to comport with norms of public morality. Under such conditions, assessment of individual virtue requires scrutiny not of public conduct (as with the Greeks), but of subjective sentiments and convictions. Yet in a world bereft of objective moral standards, no norms exist by which to judge conviction save for another conviction. Hence, moral judgment gives way to global suspicion (*Verdacht*). Moreover, the normlessness that disallows independent verification of conviction also disallows independent verification of suspicion—a void in which suspicion is tantamount to condemnation. “[V]irtue, as soon as it becomes suspect (*verdächtig wird*), is already condemned (*verurteilt*).”⁶⁵ Hence, the efforts to establish a republic of virtue resulted ineluctably in a Reign of Terror. Without an objective standard of virtue, attention turned to “subjective virtue, [which] based on disposition only, brings with it the most fearful tyranny,”⁶⁶ where individuals are eliminated on the basis of a wholly capricious judgment of their private convictions. At least in this case, Montesquieu's effort to revive civic virtue under modern conditions bows to “the principle of Robespierre.”⁶⁷

Hegel certainly does not dispute the value of the French Revolution.⁶⁸ He even acknowledges the merit of Robespierre, whose efforts—“the destruction of that already in itself destroyed”⁶⁹—were “necessary and just.”⁷⁰ Yet the frightful terror spawned by the revolution does reveal the difficulties

involved in reestablishing civic virtue under modern conditions. In a bifurcated world, such efforts often take the form either of a subjective assault on the existing order or a ruthless imposition of order on the subjective will. Neither scenario accommodates a conception of civic virtue able to conjoin subjective character and the substantive life of a political community.

This same criticism of modern efforts to revive republicanism is also evident in Hegel's reception of Machiavelli. Unlike many of his contemporaries, Hegel did not recoil from the "immoralism" of Machiavelli's politics. For Hegel, the tools of force and deceit praised by Machiavelli were part of the broader task to establish Italy as a constitutional state, at once liberating it from foreign domination and subduing the power of the local and regional rulers: "Gangrenous limbs cannot be cured with lavender water. A situation in which poison and assassination are common weapons demands remedies of no gentle kind. When life is on the brink of decay it can be reorganized only by a procedure involving the maximum of force."⁷¹ Indeed, far from condemning Machiavelli, Hegel considers him a genuine "patriot," an individual whose efforts stem from a "deep feeling for the misery of his fatherland."⁷² Machiavelli may even be said to provide the model for a modern concept of civic virtue, reaffirming republicanism while recognizing that political holism is now credible not as an ontological given but as a product of subjective will.⁷³

Still, Hegel does not adopt Machiavelli's *virtù* as a model for his own concept of civic virtue. Like Jacobin virtue, Machiavellian virtue rests on an unresolved tension between subjective sentiment and substantial ethical life. The advocacy of force on the part of a single individual is incompatible with the comprehensive conjunction of individual liberty and public interest central to a republican state. Force and deception "cannot be reconciled with our concept of freedom."⁷⁴ Although Machiavelli may anticipate a genuine revival of republican virtue, his actual solution replicates problems that must be surmounted. For Hegel, Machiavelli is a patriotic writer without theoretical significance, one whose thought does "not properly belong to the history of philosophy."⁷⁵

IV

In explications of how Hegel does account for republican virtue under modern conditions, attention is sometimes accorded his concept of *rectitude* (*Rechtschaffenheit*), observance of the laws and requirements of existing political institutions.⁷⁶ And rectitude does appear to meet the desiderata of a modern concept of civic virtue. On the one hand, it accommodates the concept of public obligation without appealing to a philosophical anthropology. In rectitude, the individual fulfills duties whose force derives not from a concept of human nature but from the functional requirements of the social system. His are "the duties of the circumstances to which he belongs."⁷⁷

On the other hand, the duties of rectitude are not those of a deontological ethic, with obligations impersonally contraposed to subjective disposition. Rectitude is an ethic of virtue, one in which the "righteous" individual understands public responsibility as a matter of individual inclination and expression. For Hegel, rectitude has its place only in a well-ordered society ("a state with good laws"), and, under such conditions, fulfillment of public duties is a matter of custom, habit, and ordinary life-practice.⁷⁸ While not derived from a theory of human nature, rectitude nonetheless demonstrates how civic virtue can be a matter of "second nature." It thereby appears to reaffirm, in a distinctly modern way, the republican tradition and even the thesis that public spiritedness is rooted in "aspects of character determined by nature."⁷⁹

Yet closer inspection reveals that Hegel does not consider rectitude a legitimate contender for a modern concept of civic virtue. However habitualized, rectitude remains first and foremost an ethic of external obligation; it need not present public sentiment as a personal disposition. One can routinely fulfill the duties of one's station without any accompanying sense of public spiritedness. Rectitude is wholly compatible with private, nonpublic dispositions, and can often foster hypocrisy.⁸⁰ For Hegel, rectitude focuses on objective duties without any necessary concern for the "particularity of character,"⁸¹ just as particularity bears no intrinsic relation to norms. Rectitude represents "universality . . . without individuality, and particularity . . . without freedom."⁸² Indeed, Hegel maintains, rectitude is championed as a virtue precisely because character no longer finds direct expression in the realities of public life. Virtue is construed as the duties of one's station because the individual is now viewed as a being of "arbitrary will and subjective caprice."⁸³ At best, rectitude denotes "ethical virtuosity," the skill required of calculating egoists pursuing self-interest in a social environment. Absent is that identity of sentiment and obligation, personal characteristic and objective norms, required of civic virtue proper.

Rectitude's inappropriateness as a civic virtue is obscured by its similarity to the preeminent form of Greek civic virtue, justice (*dikaiosune*).⁸⁴ Like *dikaiosune* (especially in its Platonic formulation), rectitude also focuses on the duties an individual performs as a function of his role within a social whole. Still, Greek justice differs significantly from modern rectitude. For the Greeks, conduct conforming to social requirements was also conduct connected to a harmony within the soul. An individual fulfilled him or herself through public engagement, just as the public welfare was sustained through individual self-realization. Rectitude by contrast implies no conjunction of societal and individual harmony. Unlike the ancient virtue of justice, which Hegel terms "moral rightness" (*moralische Rechtlichkeit*),⁸⁵ rectitude gainsays direct correlation between ethical well-being and public obligations. Indeed, Hegel asserts that, compared to *dikaiosune*, rectitude is scarcely classifiable as a virtue. That it is so classified indicates that contemporary "talk of virtue . . . can easily verge

on empty declaration.”⁸⁶ Once rectitude dominates the language of virtue, “the age of authentic virtues is a bygone era.”⁸⁷

In this respect, rectitude is, for Hegel, a quintessentially bourgeois “virtue.”⁸⁸ It is the civic virtue of those “preoccupied with fixed reality, with possession and property.”⁸⁹ The righteous individual fulfills his public obligations, not from any sense of genuine public sentiment, but because he knows that his possessions are best safeguarded through such conduct. Not to respect publicly recognized claims to possession advanced by other self-interested subjects is to endanger respect for his own.⁹⁰ The man of rectitude makes a virtue of honesty only because he knows that dishonesty threatens his own interests, because honesty is “the best policy.”⁹¹

In the *Philosophy of Right*, Hegel does offer a view of rectitude based on a less dichotomous relationship of public and private. This is particularly evident in his discussion of corporations and the other association that citizens of large-scale states join to secure their private interests. Corporate membership breeds corporate spirit, an *esprit de corp* or *Standesehre* rooted in the “implicit likeness of . . . particulars to one another.”⁹² Through membership in a corporate body, fulfillment of public obligations finds foothold in genuine subjective sentiment. Individuals care for and assist those in distress,⁹³ not out of obligation, but from a sense of “benevolent inclination.” Indeed, it is precisely through *benevolence* that “rectitude obtains its proper recognition and respect.” It is in the *esprit de corps* connected with group association that rectitude acquires “ethical foundation” (*sittliches Grund*).⁹⁴

Even here, however, rectitude is infused with a particularity incompatible with genuine civic virtue. For one thing, Hegel questions the benevolence of corporate members. Too often, such individuals act beneficently only for the social recognition (*Anerkennung*) needed to maintain and improve social standing, reasons for first adopting corporate membership.⁹⁵ In addition, Hegel contends that even ingenuous acts of corporate benevolence remain little more than forms of glorified egoism. Benevolence toward those in distress is rooted, not in general commitment to the public interest, but in a natural solidarity or tribal kinship based on perceiving *oneself* in the other. A genuine account of civic virtue—particularly in the modern world—cannot just bolster the bonds of commonality (*Gemeinsamkeit*), but must reveal commitment to a broader totality (*All-gemeinheit*), one comprising interests not directly identifiable with one’s own. Civic virtue presumes that public spirit is more than corporate spirit. Rectitude, by contrast, cannot countenance a *Volksgeist* that is anything more than the *esprit de corps*. “Rectitude is not yet *Sittlichkeit*, for individuals must still serve higher purposes.”⁹⁶

To be sure, as corporate spirit, rectitude does approximate the public spiritedness of republicanism. Through corporate membership the individual may recognize “that he belongs to a whole . . . and that he has an interest in, and endeavors to promote the less selfish end of this whole.”⁹⁷

Rectitude thus gives rise to an idea of public engagement that surpasses individual self-interest. Here “activity for the general becomes an object of knowledge (*eine Gewußte*).”⁹⁸ Yet because the life of the bourgeoisie remains fixated on “possessions, acquisition, and property,” any embrace of genuine virtue remains only an ideal, something existing in thought alone (*ein Gedachtes*).⁹⁹

Rectitude’s highest flight is to have many sorts of thoughts about this [the universal and absolute aspect of ethical life], but at the same time its rationality is that it sees how the empirical situation would be changed, and this situation lies too near its heart for it to let anything happen to it. Thus its rationality is to perceive that absolute ethical life must remain a mere thought.¹⁰⁰

At most, rectitude, through benevolence, expresses the form or “principle” (*an sich*) of genuine ethicality. Yet, because it does not deliberately will the ends of public life, it is not virtue proper; ethicality does not yet exist as something in *and* for itself (*an und für sich*). Pursuit of private interests may entail public benefits; they are not yet willed *as* public.¹⁰¹

V

Hegel’s documentation of difficulties surrounding efforts to fashion a genuine concept of modern civic virtue have prompted some commentators to assert that Hegel denies the value and possibility of its formulation. Thus, Steven B. Smith argues that for Hegel, the “attempt to recreate republicanism today is not just politically irresponsible; it is historically false.”¹⁰² In actuality, Hegel does claim that civic virtue is revivable under modern conditions. He even argues that modernity provides the framework for its complete development. His point is simply that civic virtue now assumes a different form, one that proceeds not from presumed identity of individual and community but from the fact of their bifurcation. Specifically, Hegel formulates a conception of republican virtue based on what for him is the most fundamental principle of political modernity, *the principle of individual rights*.

It is often assumed that the concept of rights, tied as it commonly is to private property, is inimical to an account of virtue. This is the view of Kant, who insisted that “the doctrine of right and the doctrine of virtues are distinguished.”¹⁰³ J.G.A. Pocock has argued that virtue “cannot be satisfactorily reduced to the status of right or assimilated to the vocabulary of jurisprudence.”¹⁰⁴ For Hegel, however, a political culture based on individual rights is inimical only to a notion of civic virtue based on the *natural* unity of individuality and community. It is not inimical to civic virtue itself. For Hegel, the concept of individual rights is in fact unintelligible without an accompanying concept of civic virtue.

In agreement with modern political theorists, Hegel maintains that individual rights consolidate the prerogatives of the *autonomous personality*.¹⁰⁵ Yet the concept of personhood presupposes an established political community committed to the dignity of every individual. Personal rights have no meaning in a state of nature, where social relations are ruled by force, violence, and caprice.¹⁰⁶ Rights instead mandate *exeundum e statu naturae*, departure from the state of nature.¹⁰⁷ The concept of autonomous personality is intelligible only in the context of a lawfully ordered community where individuals freely pursue their own conceptions of well-being. "Full personal freedom . . . can occur only in states governed by a determinate principle . . . the principle of justice."¹⁰⁸ Hence Hegel's claims that a philosophy of right must be understood not as a theory of natural law but of objective spirit,¹⁰⁹ for rights themselves have no meaning outside a developed system of rational institutions. The system of ethical life is the context "in which alone right has its actuality,"¹¹⁰ where "freedom attains its supreme right."¹¹¹

It is in this sense that rights, for Hegel, presuppose a concept of political virtue. Because rights require a functioning system of just institutions guaranteeing personal autonomy, they are meaningful only if individuals work to establish and maintain the viability of such institutions. The exercise of rights depends on the acceptance of public obligations. "[A] human being has rights insofar as he has duties."¹¹² To be sure, Hegel also allows that individuals "have duties towards the state to the same extent that they also have rights."¹¹³ Yet rights cannot simply be claimed; they have "to be earned and won through the endless mediation of discipline acting upon the powers of cognition and will."¹¹⁴ Acknowledging that the polity is the domain in which they gain explicit recognition for their interests, individuals "recognize it as their own substantive mind . . . [and] take it as their end and aim and are active in its pursuit."¹¹⁵

Hence, while Hegel does seek to revive the traditional concept of civic virtue, he does so in a way appropriate to the conditions of modernity. Where public engagement can no longer be unquestioningly understood as a telos of individual fulfillment, arguments for civic virtue are no longer derivable from a definition of human nature. Public commitment is now to be justified reflexively, through a cognitive assessment of the conditions for individualism. Civic virtue becomes a matter of reason rather than nature. As Hegel argues in criticizing the "instinctive" sentiment that informed the conduct of Antigone in Sophocles' tragedy: "Political virtue is not the virtue of sensibility, but a willing of the universal end, to the extent that it is conceived and known."¹¹⁶ Where the bond between individual and community is not achievable through actualizing a natural disposition, it can be established only through reflection on conditions of individuality, a "willing of the absolute end in terms of thought."¹¹⁷ It is not coincidental that in introducing his *Philosophy of Right*, a defense of *Sittlichkeit* based on a regressive analysis of presuppositions underlying modern abstract right,

Hegel writes: "this process of absorption in or elevation to universality is what is called the activity of *thought*."¹¹⁸

The specificity of Hegel's concept of civic virtue can be appreciated by contrasting it to rectitude. Civic virtue first of all is a form of republicanism because it regards, as rectitude does not, the public interest as an end in itself. Unlike the bourgeois, the patriot does not view political community as a means to private ends, an instrument to reaffirm or expand private interests. He values the state as an end "conceived in and for itself."¹¹⁹ His is a "disposition to will that which is good in and for itself."¹²⁰ At the same time, however, patriotism, for Hegel, is neither a heroic act of self-sacrifice nor a consequence of a public definition of human nature. Like the public engagement of the righteous individual, that of the patriot flows from reflection on the conditions for personal well-being. This is the modernity in Hegel's concept of civic virtue. Republican sentiment differs from bourgeois rectitude not in eschewing subjectivism, but in the insight that political community conditions subjectivity itself. The patriot does not deem public obligations as incidental to his self-interest; he does not accept civic duties as a convenient way to safeguard or advance preexisting entitlements.¹²¹ He recognizes that rights and liberties have no reality outside justly ordered institutions.¹²² Genuine republicans "know that their existence depends essentially on the universal. . . . [P]atriotic sentiment means that the individual knows that his particular aims can be only through the universal."¹²³ The bourgeois and the patriot both accept public obligations on grounds of rational self-interest, but only the patriot has "wisdom."¹²⁴ Only he adopts duties because he knows that "public affairs are his own particular affair." Only he recognizes that his "obligation towards the substantial is at the same time the existence of [his] particular freedom."¹²⁵

Hegel's reflexive, rights-based approach to republican sentiment anticipates the position developed by Alexis de Tocqueville in *Democracy in America*. Like Hegel, de Tocqueville also maintains that in the modern world patriotism and "public spiritedness" must be understood less as an "instinctive" matter than through reflection on private interests, for "disinterested patriotism has fled beyond recall."¹²⁶ In addition, de Tocqueville follows Hegel in holding that civic virtue is linked to the idea of individual rights. "Next to virtue as a general idea, nothing, I think, is so beautiful as that of rights, and indeed the two ideas are mingled."¹²⁷

Still, the differences between the two thinkers are telling. For de Tocqueville, republican sentiment is implicit in the very concept of right. "The idea of rights is nothing but the conception of virtue applied to the world of politics."¹²⁸ Impressed by the practice of participatory democracy in America, de Tocqueville concluded that the notion of individual rights is conceptually related to that of civic virtue.¹²⁹ While repudiating any public definition of human nature, de Tocqueville, no doubt influenced by Rousseau, still espoused a public definition of citizenship. Hegel, by contrast, asserted the coimplication individual rights and civic duties without

invoking a public definition of man or citizen. Indeed, at least as regards the *concept* of rights, Hegel is more disposed to the liberal notion that rights precede political relations. His point is simply that the concept of private rights has no reality and concrete meaning without public commitments on the part of those proclaiming them. While de Tocqueville develops a rights-based conception of civic duty by stressing the connection between subjective freedom and substantive obligations, Hegel does so while underscoring their disjunction, allowing "the principle of subjectivity to attain fulfillment in the self-sufficient extreme of personal particularity."¹³⁰ He thereby formulates an account of modern republicanism more consequential than that of de Tocqueville. By eschewing a public *definition* of rights, Hegel fashions a right-based concept of civic virtue arguably immune to the criticisms of those proponents of natural law who countenance only a prepolitical conception of rights.

VI

Hegel's concept of civic virtue should not be misunderstood. In advocating a concept of public sentiment based on cognitive appreciation on the conditions for individual rights, Hegel does not preclude the affective, "living" bonds characteristic of conventional accounts of patriotism.¹³¹ He certainly does not renounce concrete "state sentiment" in favor of the commitment to abstract ideals characteristic of cosmopolitan "civil sentiment" (*Gesinnung des Bürgers*).¹³² For Hegel, political sentiment does express an organic and even an immediate relationship between individual and community. Though cultivated rather than instinctive, that relationship is still conceived as a "second nature."¹³³ Hegel's position is only that reflexivity, far from undermining organicism, allows for its possibility. The second nature characterizing the patriot's relationship to community is the uniquely Hegelian one, where the bond is first constituted through will and consciousness.¹³⁴ This is clear from Hegel's theory of political organicism.¹³⁵

In a genuine account of political organicism, parts not only reflect the whole, but the whole its constituent parts.¹³⁶ Not only are individuals defined and sustained by their social function, society as a whole is defined and sustained through the individuals comprising it. The state "is alive only insofar as [its] moments . . . are developed within it."¹³⁷ Yet the whole fully expresses individual interests not just by recognizing them, but when the individuals themselves recognize that their interests are preserved in the state. The state reflects individual will only to the extent that its goals exist "for consciousness," to the extent that the individual can reflexively acknowledge the correspondence of public ends with his or her own.¹³⁸

In a genuine account of organicism, individuals "know and will the universal; they even recognize it as their own substantive mind."¹³⁹ Nor is this a vicarious understanding of the role of individual consciousness, one where

individuals passively acknowledge the rationality of state actions. Respect for right of subjectivity dictates that individuals take the whole "as their end and aim and are active in its pursuit . . . consciously aimed at none but the universal end."¹⁴⁰ In a genuine political totality, the individual perceives the whole as "the end and product of [his] activity,"¹⁴¹ as "that which he brings about through his own activity."¹⁴² Naturally, the whole is an end in itself, and not just an instrument for individual interest. This distinguishes the state from civil society. Still, the organic self-sufficiency of the polity is validated only when the whole is construed as product of individual "knowledge and activity."¹⁴³ For Hegel, "[i]ndividuality is the first and supreme principle which makes itself felt through the state's organization."¹⁴⁴

Thus, when Hegel asserts that political sentiment implies a living, organic relationship of individual and community, he does not undermine the mediated reflexivity central to his theory of modern republicanism. When political organism is understood as the complete interpenetration of substance and subjectivity, defense of subjective reflexivity flows from commitment to the public order. Far from vitiating the organic reality of the state, cognitive reflexivity is central to its very existence. Anything less than a reflexive approach to patriotism is an "abstraction," a lifeless subordination of one part to another. Thus, simple loyalty, not to mention unthinking love of country, while seeming to express a more intimate bond between individual and community, is—no less than abstract cosmopolitanism—an "entity devoid of life" (*Unlebendigkeit*).¹⁴⁵ A living notion of patriotism subsists in "the *consciousness* that my . . . interest is preserved and contained in the interest and end of another."¹⁴⁶ For a concept of political totality understood as a "self-organizing" whole, unthinking acquiescence constitutes the "disorganization" of the community.¹⁴⁷ In Hegel's view, the state is actualized as an "organic totality" only through "the form of thought."¹⁴⁸

Likewise, while Hegel accepts the conventional view that patriotism does express an *immediate* bond between individual and community, he holds that this immediacy is established only through the mediation of reflection. When the individual is moved to action by simple loyalty, by mere "reverence for the institutions of the state and of fatherland,"¹⁴⁹ his own ends are only contingently related to those of the state. While seeming to identify with the ends of the state, the individual does not necessarily perceive those ends as his own—the latter being the source of a bond more immediate than even faith or trust.¹⁵⁰ Required for the latter is self-consciousness, "the principle of all . . . ethical life."¹⁵¹ Only from the perspective of self-consciousness can the individual relate to laws and institutions as to his "own essence, the essence in which he has a feeling of his selfhood, and in which he lives as in his own element not distinguished from himself" (*seinem von sich ununterschiedenen Elemente*).¹⁵² In accord with Hegel's doctrine of restored immediacy (*wiederhergestellte Unmittelbarkeit*),¹⁵³ reflexivity, far from undermining a direct tie between individual and the state, conditions its possibility.

Certainly the subjective dimension in Hegel's concept of patriotism should not be exaggerated. What distinguishes political sentiment from mere subjective moral sentiment is that it has meaning only in the context of a set of already existing institutions. As a response to existing institutions, as an expression of state rather than cosmopolitan sentiment, and as a form of political action, patriotism is "merely a consequence of the institutions within the state."¹⁵⁴ Far from reducing the political order to political sentiment, Hegel maintains that the latter "takes its particularly determinate content from . . . the organism of the state."¹⁵⁵ At the same time, however, Hegel also contends that the nation rests on political sentiment for its own reality. Claiming that the nation comes into being as a state only when citizens can relate their own interests to the conduct of public institutions, Hegel argues that the state is also a product of political sentiment. "Patriotism is the result of the institutions of the state, just as this sentiment is the source through and out of which the state has its activation and its preservation."¹⁵⁶

None of this is to deny that, for Hegel, patriotic sentiment or civic virtue generally either can or should take unreflective form. To assume otherwise would be to commit the error for which Hegel, following Aristotle, reproaches Socrates: placing "all the virtues in the thinking side of the soul." For Hegel, too, "reason is not the only element in virtue."¹⁵⁷ Thus, like Aristotle, Hegel characterizes political virtue as an unreflective practice of habit and affection,¹⁵⁸ one expressing a customary relationship between subjective sentiment and state.¹⁵⁹ Still, the fact that political sentiment has this affective quality does not detract from its cognitive dimension. What custom expresses is the habitual recognition "that the community is one's substantive groundwork and end." Habituated political sentiment is simply the customary rendering of the insight that the state is the locus of private interest. "Political sentiment . . . is a volition that has become habitual" (*zur Gewohnheit gewordene Wollen*). Moreover, when it does cease to be an explicitly cognitive category, political sentiment is always amenable to cognitive re-articulation; it can always "pass over into a greater or lesser degree of cultivated insight."¹⁶⁰ Besides, Hegel argues, concretization by way of habituation only attests to the rationality of political sentiment. What characterizes a *modern* concept of political sentiment is precisely its respect for the right of particularity. That right is vitiated if civic virtue is understood, as it was for the Greeks, as an extraordinary act of self-sacrifice. A concept of civic sentiment that respects the autonomy and individuality of subjective experience requires reference to the circumstances of "our daily life and under ordinary conditions."¹⁶¹

VII

Hegel's position can be further clarified by examining his concept of trust (*Zutrauen*, *Vertrauen*), the subjective disposition underlying patriotism¹⁶²—indeed, "the genuine ethical sentiment."¹⁶³ It is often assumed that, for

Hegel, trust connotes a mere emotional, instinctual, or affective attitude, one based on the naive and even dogmatic faith in the benevolence of those in power.¹⁶⁴ In fact, however, trust, for Hegel, expresses precisely the reflexivity central to his general notion of political sentiment.¹⁶⁵ Trust is also a category of rational recognition, one based on the assured conviction that one's own ends correspond to those of the community. "I trust in someone inasmuch as I know that my interest, my welfare is the end of the state, that our ends are identical."¹⁶⁶ Indeed, far from claiming that trust subordinates individual interests, Hegel holds that trust "presupposes the differentiation of individuality."¹⁶⁷ It is only with the emergence of self-conscious and autonomous individuals that it becomes necessary to explain how citizens may entrust the state with the handling of their affairs. An unmediated relationship of individual and community is expressed by the concept of feeling, and, while feeling does capture features of the Greek account of political sentiment, it does injustice to one that acknowledges the modern right of particularity, "the right to recognize nothing that I do not perceive as rational."¹⁶⁸ Respect for particularity requires supplanting feeling with political trust, the "trust of citizens."¹⁶⁹ Only this concept expresses that civic sentiment based on the conviction that one accepts the state because one can "posit one's own existence in that of the state."¹⁷⁰

Hegel does allow that trust may also assume the less explicitly rational forms of custom and habit. His point is simply that legitimate political trust always retains an immanent connection to truth. Habituated, trust is not blind obedience to the political order. It is rather the conventional rendering of the "educated insight" that "the community (*Gemeinwesen*) is the substantive basis and end."¹⁷¹ Though not an explicitly thematized or "mediated" source of political legitimacy, trust is one of the "immediate forms of reflective understanding,"¹⁷² and therefore may pass over "into insight grounded on reasons."¹⁷³ Without this reflexive core, the concept of trust is unintelligible.

Hegel recognizes that political trust can assume "the form of national pride, that simple consciousness that I am a Prussian, an Englishman, that I am what the state is, that the state is my being."¹⁷⁴ His position is distinguished, however, by the assertion that the organic bond between individual and community engendered by trust is fully secured only when trust becomes a "more developed insight."¹⁷⁵ Only with cognitive trust—the assured conviction that the ends of the state coincide with one's own—does the state cease to be an alien power and become an expression of self.¹⁷⁶ Only this cognitive attitude accommodates an organicism defined by the unity of subjective sentiment and political institutions. For Locke, trust, or faith (*fides*), is the bond of society, the *vinculum societatis*, only when demarcated from knowledge (*cognitio*).¹⁷⁷ For Hegel, the bond of society rests on a notion of *fides* understood as *cognitio*.

More affective accounts of Hegel's concept of political trust have been advanced by those who interpret Hegelian *Sittlichkeit* on the romantic

model of friendship, familiarity, and family-like intimacy.¹⁷⁸ And, in fact, Hegel does seem to adopt a more romantic view when he characterizes political trust as *trust in others*.¹⁷⁹ But closer inspection reveals that here, too, trust remains a reflexive category. Hegel employs the concept of trust in others not because he follows romantics in asserting that the political order is sustained through some sentiment of immediate solidarity, some direct identity of individual and community.¹⁸⁰ He does so to reaffirm and further elaborate his general concept of trust, which anchors political legitimacy in the cognitively perceived correspondence of private sentiment and public institutions. For Hegel, an individual would have little faith in a political order whose practices only expressed his own personal sentiments. His trust in government stems rather from the conviction that others see their interests expressed in the political community and are committed to it. "The certitude of this, the consciousness that others are working for the same idea, gives the individual trust."¹⁸¹ Besides any merely affective account of mutual trust is precluded by the fact that what matters here is not just an individual's own trust, but his trust that others entrust the state with the handling of their affairs. Hegel clearly anticipates the reflexive, mediated concept of political trust advanced by Niklas Luhmann, who also accentuates "the trust placed in the trust of other people."¹⁸²

To be sure, Hegel does acknowledge that the viability of nation does rest on a type of communal trust. But trust plays this role for him not by establishing an immediate identity of individual and community, but by fortifying structures of societal differentiation. This point is central to his concept of estates (*Stände*), the intermediate associations that bridge the gap between general and particular. In the following, we examine the place of estates in Hegel's account of political virtue. Here it suffices to note that communal trust empowers the societal substructures required of a concept of political organism based on the balanced interplay of popular sentiment and governmental institutions. For Hegel, trust in others contributes to the political totality, not by dissolving particularity in undifferentiated communality, but by consolidating the subpolitical "pillars of public freedom" central to a concept of nation rooted in the *mediated* coordination of state and society.¹⁸³ Here, too, trust is part of a concept of political sentiment that anchors civic obligation not in supine subordination of the individual to the community, but in cognitive appreciation of the compatibility of the ends of public and private life.

VIII

Although Hegel seeks to revive the ancient concept of virtue under the changed conditions of modern world, he contends that one feature of the ancient model is entirely unrevivable: the notion that civic virtue is expressed through direct participation in the affairs of state. In the complex,

large-scale nation-states of the modern world “the citizens have only a limited share in the universal business of the state.”¹⁸⁴ Yet unlike, say, Rousseau, Hegel perceives no conflict between the complexity of the modern state and conditions for republican virtue. We should not presume “that virtue and legally determined activity of an articulated organization are mutually opposes and incompatible.”¹⁸⁵ Indeed, as Hegel’s theory of political representation demonstrates, complexity is now a precondition for civic virtue.

In the modern world, Hegel argues, political sentiment has force, not in the direct form characteristic of the Greek city-state, but in the mediated form of representation: through deputies who voice popular will in legislative assemblies. But Hegel’s commitment to representation is not based on the argument typically advanced by critics of direct political participation, that is, it facilitates achievement of “optimum results” in government.¹⁸⁶ His point is rather that in the modern world, representative government is the sole condition for republican virtue on a societal scale. The organized, formally institutionalized debate of legislators forges the connection between individual dispositions and public affairs needed in any concept of political sentiment. Institutionalized public debate is the chief means of “educating the public in national affairs,” thereby freeing them of the self-conceit they harbor both singly and en masse and facilitating their involvement in the life of the political community.¹⁸⁷ Similarly, the mediation provided by public debate relates governmental activities to the everyday lives of individuals in society, thereby further promoting popular involvement in public affairs.¹⁸⁸ Without an institutionalized public sphere (*Öffentlichkeit*), political sentiment is now impossible.

In a world characterized by the irreversible bifurcation of state and society, governmental mechanisms and everyday activities, efforts at direct popular involvement are generally ineffective and will tendentially result in public apathy or in anarchic mob rule. What civic virtue requires is a mechanism that spans the chasm between universal and particular, public and private—and the legislative assembly performs precisely this mediating function. Indeed, claiming that patriotism is nothing but “common sense” (*gesunder Menschenverstand*), that “political virtue is public spirit (*Volksgeist*),”¹⁸⁹ Hegel argues that a functioning public sphere is the central means to foster political sentiment.¹⁹⁰ The legislative assembly “is the greatest cultivator of popular public opinion,” shaping what “obtains immediately into healthy common sense.”¹⁹¹ As such legislative debate is “the source of all public virtues” (*Volkstugenden*).¹⁹²

Hegel’s claim that political representation fosters republican sentiment may seem dubious, given that he advocates corporate rather than national representation. Representatives do not attend directly to interests of the community as a whole, in the manner of France’s *représentation nationale*. Hegel’s institutionalized public sphere was not the National Assembly advocated by Emmanuel Sieyès. Hegel championed instead the estate assembly (*Ständeversammlung*), where delegates are entrusted with representing only

a particular association, interest group, or corporate body.¹⁹³ In Hegel's *représentation corporative*, deputies are the delegates of the various corporate bodies.¹⁹⁴

But here, too, Hegel denies that the absence of a direct relationship to the whole impedes republican sentiment. On the contrary, he maintains that under modern conditions, corporate forms of political representation are the *sine qua non* of republicanism. Consider, first, corporatism itself. Again anticipating de Tocqueville, Hegel argues that it is now precisely in and through nongovernmental corporate associations that a broader notion of public spiritedness is possible. Without such intermediate organizations, the isolated individual is invariably overwhelmed by the territorial size, population, complexity, and bureaucratically centralized power structure ("the basic evil in our states"¹⁹⁵) of modern political institutions. He would have little option but retreat into privatism. "If the individual is not a member of a legally recognized corporation . . . he is without the honor of belonging to an estate, [and] his isolation reduces him to the selfish aspect of his trade."¹⁹⁶ As part of a larger corporate entity, by contrast, individuals acquire the power to exert an effective influence on broader public issues, and it is only this that allows for the exercise of civic virtue. "[I]t is within the sphere of his corporation, community, etc. that the individual first attains his actual and living determination as universal."¹⁹⁷ Hence the claim that the "secret of patriotism" lies in recognizing that "the depth and strength" of the state lies in the spirit of its corporate bodies.¹⁹⁸

Thus, in opting for corporate representation rather than direct universal suffrage, Hegel merely expands on his general claim that, in the modern world, republicanism rests on mediated structures. If individuals meaningfully participate in public life only through associations, representation itself must be tied to a public interest group. To dissolve an association at the time of an election by requiring individuals to vote for delegates at large would undermine representation itself. "The idea that those communities . . . can be split up again into a collection of individuals as soon as they enter the sphere of politics. . . involves separating civil and political life from each other and leaves political life hanging, so to speak, in the air."¹⁹⁹ Through such corporate representation, society:

is not split up into individual atomic units which are merely assembled for a moment to perform a single temporary act and have no further cohesion; on the contrary, it is articulated into its associations, communities, and corporations which . . . acquire in this way a political connotation (*politischen Zusammenhang*).²⁰⁰

Were political representation based on direct universal suffrage, individuals would relate to deputies only through general elections, and this would undermine the political cohesion central to national sentiment. "As for mass elections, it may also be noted that, in large states in particular,

the electorate inevitably becomes indifferent in view of the fact that a single vote has little effect when numbers are so large.”²⁰¹ Moreover, without representation institutionally tied to recognized associations, nothing would assure the representation of all societal interests. Indeed, “the idea of loose and indeterminate elections” would leave this consideration “entirely to chance.”²⁰² For Hegel, the individual relates to the ends of public life through representatives who themselves only indirectly represent the public interest, and yet it is only through such mediation that republican sentiment is possible and meaningful.

A concept of general political virtue formulated against the backdrop of a theory of political representation, however defined, may seem a necessarily truncated one. By restricting direct participation in governmental affairs to representatives, Hegel may appear to espouse a purely passive and contemplative concept of *general* civic virtue, one that consigns political sentiment for the broader populace to an appreciation of the rationality of the political order. In the view of one commentator:

Once . . . the “general public” appreciates the inherent rationality of the state, there is nothing left for it to do except render service to the state when required. . . . [V]ery little is demanded of the “general public” politically beyond an acknowledgement of the rationality of the state.²⁰³

Yet while Hegel does hold that only some citizens can participate actively in formal political affairs, his view is not that the others are only passively engaged. Interpreting Hegel in this way misconstrues the type of republicanism he deems appropriate for modern states. Characterizing the modern state as a differentiated totality comprised not only of governmental activities but a plethora of subpolitical spheres, Hegel argues that “state” sentiment need not be restricted to formal governmental activities; it need not even involve explicit public engagement. When the nation as a whole exists through differentiation, involvement in particular subpolitical spheres is no less valid a form of republican activity. “In working for a particular sphere, individuals work the universal, which exists only in differentiation.”²⁰⁴

Certainly all civic virtue presupposes a broader public sentiment, preeminently that generated by debates conducted in the legislative assemblies. General civic virtue itself, however, is expressed not just in a cognitive appreciation of the ends of public life, but in particularized activity infused with this sense of public spiritedness. Individuals need not work directly for the universal; they need only “know that in their particular work they are active for the whole and . . . have this whole as their end.”²⁰⁵ Furthermore, if, as Hegel claims, the nation only “comes about” in the successful coordination of governmental practice and popular sentiment,²⁰⁶ public activity may most significantly transpire not at the formal political level, but in activities outside the structure of government. In Joseph O'Malley's gloss:

"it is more through those who do not exercise political functions, than through those who do, that 'the end of the universal itself comes about.'" ²⁰⁷ Besides, Hegel maintains, the complex, functionally differentiated structure of modern nation-states rules out the notion that direct governmental participation on a mass scale could lead to anything but ineffectiveness, frustration, and "inactivity." ²⁰⁸ For Hegel, subpolitical civic engagement, far from conflicting with active citizenship, conditions its possibility for most members of society. ²⁰⁹ "The consciousness of national honor in a small state is totally different than . . . in larger states." ²¹⁰ In the latter, such consciousness has a mediated character lacking in the former.

Hegel's theory of corporate representation certainly raises many questions. Is the public interest best served by individuals who represent a corporate interest rather than the public interest itself? If political will-formation is best facilitated through intermediate associations, why associations representing particular interests rather than political parties that purport to speak for the nation as a whole? ²¹¹ Though remarkably prescient in understanding the role of interest groups in political representation, was Hegel right to include these groups in formal legislative activities? If included, will they represent their own interests without seeking to dominate others? Did Hegel underestimate the sense in which individual allegiances are defined less by group associations than by national or even supranational affiliations? Was he blind to the way in which intermediate associations can become as administratively calcified as the governmental structures they are invoked to counteract? Must not a differentiated account of the body politic also incorporate non-representational, subinstitutional forms of political will-formation? Are those without corporate membership also without political standing? Though Hegel was aware of the deformations plaguing the modern public sphere, can his theory effectively address the problems triggered by consumerism, telecommunications, and mass marketing?

Whatever the answers to these questions, however, they should not detract from the significance of Hegel's general theory of civic virtue. Against critics of modernity, Hegel elaborates powerful arguments to show that the institutionally differentiated character of modern political life is not inimical to the tradition of republican virtue—indeed, that it provides the conditions for the tradition's modern rehabilitation. No less significant is his contention that the structures of political modernity make possible not just the revival but the proper realization of classical civic virtue. Civic virtue, for Hegel, is public engagement based on a regularly perceived conjunction of individual interests and the ends of substantive political life. As such, it is not properly accommodated in ancient political arrangements, which, by prioritizing the whole over the parts, asymmetrically relegate republicanism to an individual's sacrifice for the community.

Genuine patriotic sentiment is, for Hegel, realizable only under conditions of modern political life—conditions that not only secure the "right of subjectivity," but generate institutional structures that safeguard spheres

of particularity even while relating them to the ends of community. The structures of political modernity transform, at least potentially, what was an extraordinary exertion into an ordinary component of everyday life, thereby furnishing republicanism with the subjective mooring its vitality requires. In his critique of antiquity, Hegel wrote: "a higher abstraction is necessary, a greater opposition and development (*Bildung*), a deeper spirit."²¹² The dichotomies and differentiated reconciliations characteristic of modern accounts of the relationship of individual and community supply the higher *Bildung* and more profound spirit Hegel claims is needed to actualize the classical concept of republican virtue.

IX

In an 1800 letter to Schelling, Hegel spoke of the need to give reflective form to the "ideals of his youth."²¹³ This chapter examined Hegel's reception of the classical concept of virtue in terms of that objective. Unwavering though he was in his advocacy of the classical idea of republican virtue, Hegel came to realize that in the modern world its direct rehabilitation—a hope still nourished in his very early writings—was neither possible nor desirable: impossible because modern developments had irrevocably severed that "natural" bond between individual and community on which the Greek position was based; undesirable because direct transposition of classical assumption onto modern conditions had consequences inimical both to republicanism and modernity. In a world bereft of teleological import, naturalistic accounts of virtue ethic result either in the championing of nonpublic forms of individual flourishing or in a type of political engagement bent on destroying institutions and tyrannizing subjective sentiment. Thus, Hegel argues, classical republicanism is now possible only when given "reflective" form. No longer conceivable via a public concept of human nature, civic virtue is presently defensible only through a cognitive reconstruction of the conditions for subjective rights and liberties. Nor does this more disjunctive account of the individual's relation to the community diminish the concept of republicanism. Claiming that political virtue itself rests on the *differentiated* interpenetration of subjective sentiment and substantive political life, Hegel argues that modern individualism accommodates a richer and more authentic account of civic virtue. Hence his contention that the differentiated structures of modern political life, while precluding the direct relationship of individual and community central to classical republicanism, do not preclude republicanism itself, but indeed allow for its proper realization.

Appreciation of the modern dimension of Hegel's account of republican virtue is important because it demonstrates the problematic character of efforts to situate Hegel directly within the tradition of Aristotelian practical philosophy.²¹⁴ Appreciation of Hegel's position also demonstrates that

revival of Greek virtue theory need not entail critique of the modern practical philosophy. Indeed, for Hegel, meaningful rehabilitation of the Greek position mandates further elaboration of the principles of the modern moral and political theory.

Proper understanding of Hegel's account of political virtue also throws light on contemporary theoretical considerations of the concept of patriotism. In recent years, Jürgen Habermas has proposed a concept of constitutional patriotism based on commitment to the principles of justice and equality embedded in the constitutions of liberal democracies.²¹⁵ By contrast, Alasdair MacIntyre has advanced a concept of patriotism defined as "a kind of loyalty to a particular nation which only those possessing that particular nationality can exhibit."²¹⁶ The peculiar merit of Hegel's position is that it accepts aspects of both positions while requiring each to recognize the truth of the other. With Habermas, Hegel, as noted earlier in this book, also espouses a notion of constitutional patriotism, but one based on commitment not to abstract principles but to a sense of nationhood first "constituted" when principles find expression in the particular experiences, attitudes, and life-practices of social individuals. Conversely, while sharing MacIntyre's conviction that patriotism implies commitment to the values of a particular community, Hegel maintains that, especially in the differentiated and pluralistically structured polities of the modern world, such commitment is impossible without concomitant commitment to general norms of sociation, including principles of justice, equality, and the rule of law. On both counts, patriotism, for Hegel, is a sentiment requiring the balanced integration of universalist and particularist sensibilities.²¹⁷ In view of the ongoing attention to questions of political identity not only at the national but, increasingly, at the global level as well, this, too, is an important dimension of Hegel's doctrine of civic virtue.

Appreciation of Hegel doctrine of civic virtue is also valuable in that it bears on contemporary efforts to revive the tradition of civic republicanism, especially as pursued by such thinkers as Philip Pettit and Quentin Skinner.²¹⁸ The work of these individuals is, in this context, notable for affinities to Hegel's project. Like Hegel, republican engagement here as well proceeds not from a specific conception of human nature or a perfectionist doctrine of human self-fulfillment. Instead, these thinkers also understand republicanism as a doctrine committed to affirming and securing rights and liberties. At the same time, however, there are important differences between the two approaches. Contemporary republicans understand civic engagement almost exclusively in instrumental terms, as an effort to safeguard freedom from domination. By contrast, Hegel, proceeding from a notion of freedom as selfhood-in-otherness, construes republican engagement as much a constitutive as an instrumental affair. While linking civic virtue to practices of affirming and securing rights and liberty, Hegel connects such practices to processes of self-interpretation

and self-definition in which citizens, singly and in concert, shape and reshape their individual and collective identities. Elements of this constitutive dimension of republican engagement have already been considered in Chapter 4 of this book. In the next chapter, I explore the theme with regard to Hegel's conception of political theology, something that traditionally has not been regarded as especially hospitable to republican ideals.

9 Political Theology and Modern Republicanism

Hegel's Conception of the State as an "Earthly Divinity"

Of Hegel's many purported faults, one is certainly his apparent ascription of divine attributes to political institutions. Hegel is assumed to oppose modern political developments, to espouse a profound conservatism that imputes eternal status to existing political arrangements, and to assign authority to political institutions that systematically subordinate individual liberties to state power. Such assumptions moreover are fortified by his assumed proclivity to invoke Spinozistic categories in characterizing the state. Not only does he appear to regard individuals as contingent attributes of the state's underlying substance; his determination to regard the state as divinely self-causative reinforces the view that political power is justified in and of itself, and unresponsive to the will of those subject to it.¹

In this chapter, I do not dispute the centrality of religion, Christianity in particular, to Hegel's conception of the political. Nor do I dispute the centrality of certain Spinozistic categories for Hegel's understanding of this conception. What I do dispute, however, is the authoritarian and repressive view that even now is attached to Hegel's political theology. Focusing on Hegel's conception of the state as an earthly divinity (*Irdisch-Göttliches*),² I show that a proper understanding of Hegel's political theology entails a republican conception of political life, one for which the legitimacy of a polity is rooted in the political self-constitution of a people. On this basis, I also argue that Hegel's particular view of the relation of religion and the political entails a full endorsement of modern developments in politics and culture, but in way that also demonstrates the degree to which those developments are decisively shaped and defined by theological considerations.

My discussion is divided into four parts. First, I reprise Hegel's view of the importance of Christianity and in particular Protestant Christianity for political life, noting how Protestantism mandates an understanding of the spiritual directed to the worldly realization of the concept of freedom. Second, I detail how Protestantism, for Hegel, entails a comprehensive system of ethicality, one informed by the principle of self-conscious freedom and sustained through a republican notion of civic engagement. Third, I note that, while Hegel does construe the idea of a secularly realized spirituality with the aid of a notion of divine self-causation that draws on Spinozist

categories, his own conception not only accommodates the realities of finitude and historical contingency but depends on their incorporation for its own specific reality. Fourth, I specify some implications of the conception of divine self-causation for a doctrine of politics, touching on issues of constitutionalism, public deliberation, political pluralism, and a modern conception of the common good.

I

We begin with some general observations about Hegel's conception of the relationship of religion and politics. Hegel associated articulation of this relationship quintessentially with Christianity. Advancing the idea of a revealed or *geoffenbarte* religion, Christianity is significant, for Hegel, not least in that it decisively conjoined the finite and the infinite, the human and the divine. In this way, Christianity created the framework for a universal and comprehensive conception of freedom committed to the absolute worth and dignity of every individual. It is with Christianity, also termed by Hegel the "religion of freedom" (*die Religion der Freiheit*), that one observes the emergence of the "the self-sufficient and inherently infinite personality of the individual, the principle of subjective freedom."³

Hegel's discussion of the moral-political significance of Christianity is, first of all, a conceptual and normative statement of possibilities. At issue is merely what Hegel terms "the principle of Christianity."⁴ In no way does he claim that these possibilities found adequate expression in the reality of early Christianity. Indeed, viewed historically, Christianity is distinguished in its initial manifestations by the absence of meaningful worldly articulation. Initially present is only what Hegel calls the "enormous discrepancy (*ungeheure Widerspruch*) between the Christian principle" and the forms of existence "which at first prevailed among Christian peoples."⁵ The original Christian religion, even and perhaps especially that advocated by Christ himself, promulgated a decidedly dichotomous view of the relationship of the spiritual and the secular. Responding to the corruption, decadence, and political authoritarianism of Roman life, Jesus fashioned his message in opposition to, and indeed as liberation from, the bonds of secular life. The "infinite" freedom of the individual accordingly took the form of an otherworldly redemption focused on personal salvation to be experienced in an atemporal kingdom juxtaposed to the realities of a worldly social and political life.⁶

Nor was this chasm between the spiritual and secular at all narrowed in the development of medieval Christendom, its worldly and institutional dimensions notwithstanding. On the contrary, it was only widened. Retaining early Christianity's presumption that "the worldly sphere is uncultured,"⁷ medieval Christianity promoted a realization of religion predicated on the notion that the secular domain is to be dominated. In this

way, the secular domain, far from articulating any adequate reconciliation of the human and the divine, is further removed from that goal. Christianity now confers "legitimacy"⁸ on what originally occasioned the flight from secular reality: "institutions that embody injustice and . . . a morally corrupt and barbaric state of society."⁹

Hegel's point, though, is not just that Christendom serves to corrupt the secular or that it is incapable of properly reconciling the spiritual and the secular. The force of his criticism, directed most pointedly at Catholicism, is that the crude principle of domination that came to characterize secular life in Christendom now becomes the principle of the Christian religion itself: "as a result of its dominion, there emerges in the church itself a worldliness devoid of spirit."¹⁰ Noteworthy here is not simply the degree to which the church succumbs to lure of secular decadence—"lust of power, riotous debauchery, all forms of barbarous and vulgar corruption, hypocrisy and deception."¹¹ More important is that Christianity itself is now construed in terms of categories of domination, especially those reflected in the legal-political positivism of a crude theocracy.¹² With the subordination of laity to priests, Christian religiosity becomes typified by a slavish deference to external authority. Similarly, with the doctrine of justification through works, Christianity assumes a form of religiosity demonstrable solely through the externally observable content of behavior. In both respects, what originated as a religion of inward freedom and spiritual reconciliation becomes one of "servitude" (*Knechtschaft*) and "alienation" (*Entfremdetsein*).¹³ "A dominion predicated on the lack of spirit is posited, in terms of which externality is the principle and humanity in its relatedness exists at the same time outside itself—this is the relationship of unfreedom (*Unfreiheit*) in general."¹⁴

For a proper account of Christianity and its political dimension, then, Hegel turns to the Reformation and the historical emergence of Lutheran Protestantism.¹⁵ Protestantism is perhaps most important for Hegel in that, in multiple ways, it concretizes the principle of subjective freedom itself. In locating the divine "in the depths of man's inmost nature,"¹⁶ Protestantism gives pronounced expression to an idea of liberty predicated on acknowledging the intrinsic and unqualified worth of the individual.¹⁷ Further, in asserting that individuals are fully responsible for their own salvation, it gives currency to the notion that human beings are accountable only for events and circumstances expressive of their knowledge and will.

Again, in advancing a notion of freedom rooted the conjunction of finite and infinite and, more generally, in the idea of selfhood in otherness, Protestantism undergirds a notion of social and political life based on relations of reciprocity both among individuals and between individual and community.¹⁸ Similarly, with its notion of freedom as *bei sich Selbst sein*, Protestantism gives pronounced expression to the ultimate thrust of the idea of subjective freedom—that one is free only to the degree to that one also knows that one is free, that freedom is *a limine* "*das Selbstbewußtsein*

der Freiheit.”¹⁹ And not least, Protestantism is important because it facilitates the emergence of a new sociocultural sensibility, “an entirely new spirit,”²⁰ one in which social consciousness in general is now governed by a general commitment to freedom as the constitutive principle of social reality. Henceforth, individuals are acknowledged to possess a *right* of subjective freedom, a right whose recognition, thanks to Protestant Christianity, defines “the pivotal and focal point in the difference between antiquity and the modern world.”²¹

Hegel's point, however, is not simply to stress the enormous influence Protestantism exerted on the culture of his age and modernity generally. His more distinctive claim involves the contention that a secular reference and a general worldliness inheres in the Protestant principle itself. Hegel accentuates the specifically worldly dimension of the Protestant notion of freedom in several ways. One concerns the changed meaning of Christian virtue. With the move from justification through works to an acknowledgment of subjective conscience (*Gewissen*), virtue now is understood not in terms of certain observable holy acts, but via the spirit and ethical disposition (*sittliche Gesinnung*) infusing conduct in everyday life. Protestantism's affirmation of the worldly is reflected as well in a positive revaluation of worldly existence itself, one that calls into question the opposition between “Sunday” and the “Workdays.”²² In its championing of an infinite right of subjectivity, Protestantism affirms not just the primacy of heart and the domain of inwardness but the freedom of the individual to find satisfaction in all of his or her activities, the totality of mundane experience included.²³

In addition, Protestantism is significant because it explicitly confers legitimacy on what previously had been denigrated as profane existence, thus acknowledging “the secular as capable of being an embodiment of truth.”²⁴ Finally, Hegel maintains that owing to Protestantism spirituality itself now demands worldly expression, to the point indeed that the sacred depends on its secular realization. A religion predicated on the infinite freedom of the individual and the conjunction of self and other cannot remain a matter of heart and sentiment alone. If Christianity is to surmount the “alienation” Hegel associates with Catholicism, it must be able to manifest itself in all the forms of external life. The principle of subjective freedom that assumed conceptual reality with Protestantism must “develop into an objective phase—into legal, moral, religious, and not less into scientific actuality (*Wirklichkeit*).”²⁵

Hegel, to be sure, acknowledges that Lutheran Protestantism itself never undertook this objective development of freedom. Focused first and foremost on heart and sentiment, it could fashion at best only an “embryonic” notion of worldly reconciliation.²⁶ Nonetheless, if Protestantism is to make good on its claims, if Christianity is indeed to understand itself as a religion of freedom, it must effectuate a transition from subjective to objective; it must forge a notion of freedom focused on subjective inwardness into a *System der sittlichen Welt*.²⁷ “If religion is reformed, the political,

legal and ethical system [*ratio civitatis et legum morumque*] should also be reformed.”²⁸ This objective elaboration of the Protestant principle, the basis for what has been called Hegel’s “second Protestant Reformation,”²⁹ is the task of the *Philosophy of Right*,³⁰ whose aim is precisely to fashion a “realm of actualized freedom, [a] world of spirit produced from within itself as a second nature.”³¹ This notion of realized spirituality depends on an account of ethical life informed by a specific view of civic republicanism, and it is to this that we now turn.

II

To understand Hegel’s idea of realized freedom, we must appreciate the specific way in which the Protestant principle shapes the content of his account of political community and political life generally. Central to Hegel’s conception of Protestantism is the notion that freedom cannot retain a merely internal dimension; if freedom is to express genuine autonomy, if it is to be free from heteronomous determination, it must find expression in external reality as well. In particular, the Protestant principle of freedom—and here Hegel opposes Lutheran orthodoxy and its two-world doctrine—demands a secular social order in which the whole of reality, mundane reality included, expresses the principle of subjective freedom. This means, first of all, the realization of a rational political order is based on and committed to the universal rights of individuals, the dignity of the person, the inviolability of individual conscience, the right of property ownership, the rule of law, and the notion of governmental action governed by constitutional principles and accountable to the general will.³²

In addition, it means the realization of a social order expressive of ethicality and the principle of “ethical (*sittliche*) freedom.”³³ If the Protestant principle entails a notion of freedom (defined by the principle of *beisich Selbst sein*), then an account of realized freedom will accentuate forms of sociality based on principles of mediation and reciprocal dependence, for example, internal and external, subject and object, and substance and subjectivity. Thus, realized freedom entails an “ethical universe” (*sittliche Universum*),³⁴ a comprehensive account of social life dedicated to the complication and codependence of rights and duty, individual and community. Similarly, it culminates in a social order in which societal subspheres—family and commercial life—both presuppose and condition the reality of a genuine polity. Or, yet again, the various spheres of social life—family, commerce, and political organization—are themselves structured individually on the basis of the relations of “mutual dependence”³⁵ that for Hegel are central to the Protestant principle.³⁶

Hegel’s point, however, is not simply that realized freedom must be *understood* in terms of social structures illustrative of principles of ethical

mediation. It is not a reality existing for the external, third-person cogitations of a theoretical observer. In keeping with the realized freedom emanating from the idea of “infinite subjectivity” that Hegel associates with Protestantism, it must be one known and willed by the individual subjects themselves. If freedom is to be realized in a way that jettisons heteronomous determination, it must be one that evinces a self-consciousness of freedom and ethicality, where individuals know themselves as free.

In Hegelian language, realized freedom demands an order in which the individual is free not only *an sich* but *für sich* as well. Thus, not only is realized freedom conditioned by “a right of insight;”³⁷ and not only must individuals be able to know that their interests and identity are expressed in the institutions and practices of a polity; they must also possess a understanding, a *Selbstgefühl*,³⁸ that freedom itself consists in the interdependency of their own interests with those of community. Indeed, far from juxtaposing a system of realized freedom to the sentiments of individuals, Hegel claims—and here he notes the special contribution of “the religion of the modern age”³⁹—that ethicality itself has full reality only in the experience of individuals’ consciousness of mutuality and its significance for their identity. Ethical freedom find its “*existence* only in the self-consciousness of a people,”⁴⁰ a claim itself rooted in the Protestant notion that individuals must “accomplish the reconciliation in themselves.”⁴¹ Protestant spirituality entails a conception of realized freedom understood as the substantial unity of subject and object, self and other. The unity, however, depends, experientially and ontologically, on the ethical self-consciousness of affected individuals.⁴² Realized spirit, for Hegel, is indeed “the *self-knowing* ethical actuality of spirit.”⁴³

To say that ethicality depends on the principle of subjectivity is, to be sure, not to say subjectivity itself is purely a cognitive or theoretical phenomenon. In line with a comprehensive account of realized freedom, Hegel claims that ethical subjectivity has a practical dimension as well. In particular, realized ethicality requires the engagement of an active citizenry committed to realizing and sustaining ethicality itself. In a word, Protestantism—and Hegel’s “civic Protestantism”⁴⁴ is clearly distinguished both from Schleiermacher’s theology and pietism generally—demands a *republican* conception of individual conduct, social life, and indeed religiosity itself. This form of civic engagement, termed by Hegel “ethical disposition” or conscience properly conceived, finds expression in the everyday practices of ordinary citizens, be it in forging relations of reciprocity and mutuality or in participating in subpolitical associations. It finds expression in a legislative sphere *a limine* oriented not to aggregating preferences but in fostering the shared ends of communal life. And it finds expression in the activity of groups and individuals, who, in line with a notion of self-conscious ethicality, commit themselves to promoting and preserving the conditions of ethicality itself. Here, ethical disposition takes the form of a civic engagement devoted to counteracting

forces that undermine structures of societal reciprocity, mutuality, and mediated forms of social relations.

For Hegel, republican engagement manifests itself centrally in education (*Bildung*) and specifically in forms of pedagogy designed to “cultivate and shape the civic disposition,”⁴⁵ those needed to counteract pathologies inimical to the goal of realizing and sustaining ethicality. In particular, *Bildung* is required to confront what Hegel calls “the cultural prejudices of the age,”⁴⁶ those rooted in a dualistically structured “universal culture”⁴⁷ that encourages individuals to view institutional structures as juxtaposed to everyday life practices and their own welfare as distinct from that of communal life. It is with regard to such cultural prejudices that the “incorporation (*Einbildung*) of reason in reality” mandated by the Protestant principle depends on the “work of an educated humanity (*gebildete Menschheit*).”⁴⁸

In specifying the agents of such pedagogically conceived civic engagement, Hegel not surprisingly assigns a special role to religious associations or communities (*Gemeinde*), particularly the core members comprising what he calls the *cultus*. Religious communities and, in particular, members of cultic communities play an exemplary role in the realization of spirit in the world, as the task of such “*citizens* of the kingdom of God”⁴⁹ is just to realize the unity of human and the divine both in their own lives and the life of the religious community itself. Motivated by a “mutual love of community,” members of a cultic community seek to embody principles of reciprocity in their own relationships, while forging the general communal conditions for mutuality itself. Nor is their engagement restricted to forms of religious fellowship. Because the realization of spirit pertains to the complete realization of divine in the real, cultic engagement must seek reconciliation in all form of social life, the mundane included. “What is required. . . is that this reconciliation should also be accomplished in the secular domain (*Weltlichkeit*).”⁵⁰ Hegel articulated this expectation already in his early *System of Ethical Life*, where he ascribed to members of religious associations the duty, as Laurence Dickey writes, “to educate modern man to his collective moral responsibilities” and “to initiate public discussion about what the telos of political oriented action should be.”⁵¹ And he argues similarly in the *Philosophy of Right*, where he references the general contributions of religious fellowships “to the service of community.”⁵²

It is perhaps clear though that civic engagement, for Hegel, cannot remain the office just of religious associations. Indeed, any such restriction is debarred on the grounds of religion itself. Precisely because the Protestant principle aspires to the “*self-knowing* ethical actuality of spirit,” civic engagement devoted to the worldly realization of freedom must proceed from the secular domain itself. “The true reconciliation whereby the divine realizes itself in the domain of actuality consists in the ethical and juridical life of the state (*sittlichen und weltlichen Staatsleben*).”⁵³ It is telling that in his June 1830 Address on the Tercentenary of the Augsburg Confession, Hegel goes out of his way, and indeed precisely in his paean

to the principle of Christian freedom, to praise, not theologians or ecclesiastical leaders, but the princes, secular authorities, and members of the general lay community especially responsible for realizing freedom and ethicality in the world.

Thus, when sketching the more consequential conditions for civic engagement, Hegel refers less to religious communities than the types of socioeconomic fellowship detailed in his doctrine of corporations and work-related cooperatives⁵⁴—entities that in any event must address systemically induced threats to ethicality, those that cannot be readily defused through appeal to the principles of brotherly love associated with the praxis of religious associations.⁵⁵ In addition, he appeals to modern university education (itself predicated on a repudiation of the distinction between clergy and lay central to Catholicism),⁵⁶ wherein individuals trained to occupy positions of authority in secular society are, at least in his view, taught to appreciate the forms of mutual dependency that constitute a genuine social order and so to contribute to their further actualization.

Hegel's point, though, is not that the Protestant principle culminates in a purely secular political ethic.⁵⁷ He is not claiming, as do Nietzsche and Weber later, that secularizing religion tendentially results in the atrophy of religion itself.⁵⁸ Rather, even for a conception of a republican praxis focused on the worldly realization of freedom, the claims of religion remain in force. An effective civic republicanism depends on a cultural disposition attentive to the conditions of commonality itself. Yet such communal self-consciousness is itself nurtured and sustained in the principles of self-reflectivity and mediated autonomy rooted in the Protestant principle itself. Indeed, Hegel claims that the practice of rendering ethicality conscious of itself (*bewußtwerdende Sittlichkeit*) is nothing but religion itself.⁵⁹ It may be true that religion finds its reality *a limine* in a secular form of ethicality. "Genuine religion and genuine religiosity are found only in the state and ethicality"; outside the latter "it is vain to seek for true religion and religiosity."⁶⁰ At the same time, however, political life and civic agency itself depends on the religion. "The state rests on ethical sentiment, and that on the religious."⁶¹ Hegel's is indeed a complex account of the relationship of Protestantism and republicanism.

III

The notion that Protestantism might favor a republican account of politics is, to be sure, not unique to Hegel. At the same time that Hegel was formulating his position, Alexis de Tocqueville advanced similar claims in assessing the public culture of the United States. Contrasting the American experience to the Catholicism of the ancient regime so problematic for Rousseau, de Tocqueville saw in American Protestantism a Christianity supportive

of republican institutions. As practiced in the United States, Christianity "imposes on each man some obligation toward mankind, to be performed in common with the rest of mankind, and so draws him away, from time to time, from thinking of himself."⁶² Still, significant differences exist between de Tocqueville's "republican religion,"⁶³ as he calls it, and that of Hegel's. Most important for present purposes is that republicanism, for Hegel, is not merely based on "the maintenance of republican institutions."⁶⁴ Against the backdrop of a Protestantism robustly construed in terms of the principle of subjectivity, Hegel advances a republicanism focused as much on *political creativity* as *political stability*.⁶⁵ Republicanism, for him, defines the process by which a people establishes the conditions of institutional life and thereby the conditions of their very being as a people.

Hegel advances this conception of republicanism by invoking the language of divine creativity. Understood, again, as the "self-knowing actuality of spirit," political community designates the activity whereby a people causes itself, establishing for itself its own reality. "The state is the world which spirit has created for itself, thereby following a course which has being in and for itself."⁶⁶ Hegel is commonly mocked for his identification of the state with the divine. His point, however, is not to present the state as the expression of some transcendent deity, nor is it to deify existing social-political relations. Instead, he maintains that, against the backdrop of Protestantism, the state denotes a community able to fashion for itself its own reality. If "the state is the divine will," it is "in the sense that it is spirit present on earth, unfolding itself to the actual shape and organization of a world (*sich zur wirklichen Gestalt und Organization einer Welt entfaltender Geist*)."⁶⁷ It is in this regard that Hegel speaks of the "divinity of the people"⁶⁸ and claims that the state itself is an "earthly-divinity" (*Irdisch-Göttliches*).⁶⁹

In invoking the idea self-causation, Hegel clearly has recourse to Spinoza, whose conception of *causa sui* he pointedly invokes in fashioning an account of political sovereignty.⁷⁰ Karl-Heinz Ilting has called attention to this dimension of Hegel's thought, asserting that Hegel's doctrine of ethicality conjoins a classical notion of political life with a Spinozist conception of an infinite substance.⁷¹ Against Spinoza, however, Hegel does not restrict the principle self-causation to an infinite substance conceptually distinct from contingent realities. Rather, self-causation is very much an attribute applicable to phenomena of an existing social-historical order. At issue again is an *earthly* divinity, one for which affirmation of the notion of "infinite" self-causation proceeds from acknowledgment of human finitude. "Humanity, considered finite for itself, is at the same time the Image of God and a source of infinity in itself."⁷²

In this respect, Hegel's position may more suitably be compared to that of Thomas Hobbes, whose polity has recourse to the creative agency of a "Mortall God." Yet Hegel's position is also distinct from that of Hobbes. For Hobbes, divine creativity *emulates* the activity of an immortal deity.

The *Leviathan* begins, of course, by invoking “that *fiat*, or *let us make man*, pronounced by God in the creation.”⁷³ By contrast, the robust creativity Hegel ascribes to his earthly God is not one that is assumed to proceed *ex nihilo*. Instead, divinity in Hegel’s positive political science explicitly designates the actions of a people that are performed in space and time and against the backdrop of received traditions, customs, practices, and other “heteronomous” considerations. Here, too, political creativity pertains to the agency of a community understood as an *earthly* divinity, one also expressed as “spirit as present in the world.”

To the extent then that Hegel does ascribe to political action a creative capacity, it is in the form, he says, of a post festum *reconstruction*. If political action cannot be said to generate existing reality, it nonetheless does refashion received conditions and circumstances so as to ensure conformance with the principle of subjectivity. Meaningful political action does seek to fashion a genuine political community; it does so, however, not through an originary act of construction but in a process of reconstitution wherein existing conditions are rearticulated to express the principle of autonomy, wherein a people can appreciate those circumstances as its own and can come to (re)recognize itself therein. Nor is the reconstructive account of political agency at odds with the expectation of worldly embodiment associated with the Protestant principle. The principle of subjective freedom, understood as absolute self-determination, requires that the subject embody itself in external reality. Such embodiment is not achieved, however, in an autarchic generation of external reality itself; at issue is not the “logical, pantheistic mysticism” ridiculed by Marx.⁷⁴ External realization of Protestant subjectivity instead has a reconstructive function. Actuated by a notion of freedom understood as self-dependency, the subject can objectify itself externally only to the degree that externality itself is reshaped to meet the requirements of the subject. Indeed, external realization of the Protestant principle consists in nothing but the “*transformation* of secular life by the principle of freedom.”⁷⁵ The task of the *Reformation* is indeed to establish that “the laws, customs, constitutions and all that belongs to the actuality of spiritual consciousness should be rational.”⁷⁶ The Protestant principle does mandate reconciliation of religious sentiment with the quotidian conditions of worldly life, but part and parcel of that reconciliation is the validation of those conditions with reference to the principle of subjective freedom.

To say that Protestantism has a reformatory or transformative function is, to be sure, not to say that it is not creative in an emphatic sense as well.⁷⁷ On the contrary, the process by which existing conditions are reconstructed is also one in which the very being of the political domain is constituted. In line with the principles of his idealistic ontology and his speculative *Realphilosophie*, Hegel presents reconstruction as the process in which the *Wirklichkeit* of an entity is properly first constituted only when it can be understood to embody the principle of reason, when mere *Dasein* can

express its concept (*Begriff*). Innovatively invoking the metaphysical definition of truth, rational reconstruction takes the form of an *adaequatio re ad intellectum* wherein the *wahrhafte Sein* of an object is not only established but created.⁷⁸

Hegel characterizes the reconstructive process variously. In some cases, he presents reconstructive ontology as the product of an external operation, one performed by the philosophical investigator. Such is his manner of proceeding in the philosophy of nature, where the concepts and categories employed in the reconstruction—those in virtue of which mere existence assumes the status of true being or actuality—are introduced by the theorist. In the human domain, by contrast, speculative reconstruction is presented as an operation immanent to the subject matter itself. Inasmuch as the human domain is, for Hegel, distinguished precisely by its capacity for self-conceptualization, the constitution of a sphere of true being is also understood as a process of *self-constitution*, one resulting from the subject matter's own self-elevation to its concept. Thus, a people causes or creates itself by reflecting on the conditions that always already shape what it is. By coming to recognize or re-recognize itself in those conditions, it serves to infuse those conditions with a self-consciousness and in this way forges a reality that subsists in just the conjunction of substance and subjectivity.

Moreover, the very process of self-reflection is a form of self-creation for a community that establishes itself as such, as *Volksgeist*, just in the activity of substance attaining subjectivity. In *Natural Law*, Hegel characterizes the divinity of a people via the concept of "absolute self-organization," one expressed as the "divine self-enjoyment of *this whole*" (*göttliche Selbstgenuss dieses Ganzes*).⁷⁹ Hegel thereby makes clear that a people gives itself reality to the degree that individuals both place a distinctive organizational stamp on the conditions of their existence *and* engage in self-organizational activity itself. Both are respects in which self-causation is a process not of autarchic self-generation but the self-reconstruction of existing conditions. It is not surprising, then, that with the idea of an earthly divinity, Hegel conjoins a concept of absolute creativity with classical notions of teleology, for on his account, self-causation goes hand in hand with self-cultivation.⁸⁰ The system of right is indeed "the realm of actualized freedom, the world of spirit produced from within itself as a second nature."⁸¹

To ascribe a worldly or mundane character to Hegel's political conception of divine causality is, to be sure, not to minimize its power or authority. Rather, the process through which a social-cultural substance establishes its identity, the reflexive and self-reflexive reordering of the conditions of given immediacy, denotes the nature of the absolute itself.⁸² This too is a sense in which Hegel's earthly divinity is not Hobbes's Mortall God.⁸³ Indeed, far from denigrating finite particularity, Hegel claims that it is only via such particularization that infinite self-causation itself is conceivable. This flows from his claim that the absolute itself attains the self-consciousness central to its complete reality only through processes of self-objectification. It is

only in fully immersing in the domain of finite particularity, in “establishing itself as another, in loss or degeneration,”⁸⁴ that the absolute attains the differentiation needed for its own achieved identity. In this regard, an earthly divinity not only can be, *pace* Hobbes, an immortal god; immortality itself is achievable only in the “mortal” domain itself. “The true reconciliation whereby the divine realizes itself in the domain of actuality, consists in the ethical and juridical life of the state (*sittlichen und weltlichen Staatsleben*).”⁸⁵

IV

A complete account of Hegel's earthly divinity would require an explication of Hegel's concept of the divine itself, especially the apparent dependence of the spiritual on the secular. In what remains, however, I restrict myself to some implications of Hegel's conception of a realized spirituality and, in particular, an earthly divinity for the secular itself, the political in particular. I focus briefly on four dimensions of Hegel's conception of the political: constitutional theory, deliberativism, pluralism, and the common good. All bear on the “earthly” character of Hegel's concept of political self-causation.

1. First, Hegel advances a view of political constitutionalism and constitutional politics that exhibits an ambivalent relation to standard Enlightenment conceptions. Against the latter, Hegel claims that a constitution can never be regarded as an explicit act of formal construction. Constructionism of this sort is debarred for the reason that a people or culture is inextricably intertwined with customs, habits, and practices that always already shape and define its life and identity as a nation, its political practices included. Indeed, the social practice of constitution-making is itself inconceivable unless a people is already socially preconstituted in some manner. Yet this is not to say that, for Hegel, a constitution is not also a product of explicit political activity. His is not the Burkean point that a constitution is simply an expression of custom, tradition, and historical evolution. Precisely because it serves to express the historical realities of a people, a constitution must be regularly shaped anew if it is to function as the constituting principle of a people. It may be that a constitution is not explicitly constructed, but it does subsist through processes of regular reconstruction, through processes of “regeneration.”⁸⁶ Constitutionalism denotes a process whereby a people, in response to changing social and historical circumstances, refashions and reimagines the conditions shaping it and, in so doing, reanimates or “rejuvenates”⁸⁷ the collective sense of self-identity constitutive of a people as a nation.

Underlying this conception of constitutionalism is Hegel's political theology. On the one hand, Hegel, in denying the formal constructability of a constitution, denies as well that a constitution can have an external cause.

From this perspective, it is “uncaused.” But that is not to say that a constitution is without cause, only that it is internally caused—indeed that it is self-causative. A constitution, for Hegel, is “divinely rational,”⁸⁸ and as such fully self-dependent and capable of supplying its own foundations. This is so, however, not in the sense of autarchic self-generation, but rather in the historicized sense just noted. A constitution is self-causative as “the self-developing principle of a people in history;”⁸⁹ it is the process through which a people “makes itself in history through itself.”⁹⁰ Moreover, what distinguishes this process of self-constitution is less what is constituted than the constitutive activity itself. For an earthly divinity, self-constitution refers to the process of constitution-making as a historical activity, one exhibited in the process by which a people comes to establish or re-establish its self-identity. Constitutionalism denotes “the internal development of a people, the foundation wherein it expresses the level of its self-consciousness.”⁹¹

Related to this feature of constitutionalism are its open-ended quality and orientation to the future. A constitution, for Hegel, does not denote a fixed structure binding on a people once and for all. It is instead an evolving reality, reflecting changing ways in which a people defines and redefines itself in the face of changing conditions. Indeed, the very attention to self-reflexivity ensures the dynamic nature of Hegel’s constitutionalism. Constitutionalism designates the process in which a people, in constituting itself, makes itself an object. Yet such self-objectification can never be finalized. This is debarred for the reason that every act of self-objectification itself presupposes a subject whose objectification itself requires additional objectification—and so on *ad infinitum*. Every completed act of self-objectification is simultaneously acknowledgment of the incompleteness of the process and thus demand for further self-reflection.⁹²

Hegel concludes the penultimate section of the *Phenomenology of Spirit* by noting that while manifest religion has effectuated a reconciliation of the divine and the human, the world itself remains disrupted between what is present and what is yet to come. A complete reconciliation thus entails a process in which the world itself enacts the reconciliation of itself.⁹³ In the case of an earthly divinity, such self-enacting reconciliation can never be finalized.⁹⁴ Indeed, the process of ongoing self-constitution is a central feature of its very nature. A future reference is part and parcel of the constitutional practice of a people understood as the “self-knowing ethical actuality of spirit.”⁹⁵

2. A second implication of Hegel’s theory of political self-causation involves commitment to a deliberative conception of politics. Against liberal political theory, Hegel does not regard politics generally and constitutional politics in particular as a phenomenon that attends first and foremost to safeguarding private liberties. In line with the republican tradition, his primary focus is directed to a process whereby a people collectively engages in practices of collective self-definition. Indeed, Hegel claims, in ways akin to Aristotle and Arendt, that it is through deliberative or communicative action

that a people has concrete reality. What may be noted, here, however, is the religious or theological dimension of such deliberativism. In the *Phenomenology of Spirit*, Hegel, anticipating Durkheim,⁹⁶ identifies religion with processes of collective self-definition. A "nation conceives of God in the same way it conceives of itself";⁹⁷ as the domain in which "a nation defines what it considers to be true,"⁹⁸ religion is also the "articulation of a community regarding its own spirit."⁹⁹ But Hegel also construes the conjunction of religion and self-definition with regard to the principle of political self-causation. In its "self-formative" character, Hegel wrote in *System of Ethical Life*, a divine people¹⁰⁰ is also a "deliberating and reflective people."¹⁰¹

To be sure, this is not to suggest that a politics fashioned on the basis of a theologically informed understanding of republican self-definition is inattentive to individual rights and liberties. This would be a curious position to attribute to a thinker who not only emphasized the freedom of person, property, and individual conscience, but did so with reference to Protestantism itself. Moreover, for Hegel, processes of collective self-definition are themselves subject to rules governing deliberation, including those committed to right of subjective freedom. Yet if Hegel thus affirms the principle of individual liberty, he does so not in a manner inappreciative of wider civic responsibilities. On the contrary, the former is integrally intertwined with the latter. Attention to the reciprocity of rights and duties, liberty and civic obligation, flows from the Protestant principle itself, which understands subjective freedom as *bei sich Selbst sein in anders*. With regard to a deliberative conception of politics, then, Hegel does invoke the principle of freedom of expression, conceived however not as a civil liberty against the state, but as a component of a notion of political activity intertwined with processes of collective self-definition. It is no coincidence that, for Hegel, freedom of speech is thematized not in the doctrine of abstract right but in the section of *Sittlichkeit* also devoted to explicating the idea of an earthly divinity.¹⁰²

3. A third and related feature of Hegel's political theology involves political and social pluralism. If the concept of a Protestantism inspired republicanism forefronts shared deliberation about common societal ends, it does not thereby diminish, as do more traditional forms of republicanism, attention to societal diversity. On the contrary, Hegel posits a clear connection between processes of public deliberation and societal pluralism. He does so, first, simply as a general matter of social and political theory. A commitment to pluralism is inherent in the idea of a political community as "the self-knowing ethical actuality of spirit."¹⁰³ In accord with a conception of subjectivity as selfhood in otherness, the notion of a collective self-identity must accommodate what is alien to itself. In this regard, Hegel not only characterizes a political community as a "whole differentiated into its particular domains,"¹⁰⁴ but claims that it can subsist as a self-knowing *totality* only to the degree that the diverse parts are represented and able to perceive their particularity in the whole. "The universal end cannot be advanced without the personal knowledge and will of its particular members."¹⁰⁵

In addition, a commitment to pluralism is central to the deliberative process itself. Not only does public deliberation presuppose, reveal, and establish differences in interpretation about the ends of public life; public communication itself ratifies differences even as it forges commonalities. Committed to recognition of what is commonly *shared*, public deliberation proceeds from an acknowledgment of differences while also facilitating the public recognition of those differences, in self as in others. It is not coincidental that Hegel employs the term *öffentliche Mitteilung* to characterize public communication. In participating (*teilnehmen*) in public discourse, individuals also function as shareholders in that process; and in possessing a share (*teilhaben*) of what is held in common, they also can develop appreciation of what is distinctive about their own stance, which in turn facilitates an openness to and appreciation of what is distinctive in other perspectives. Central to Hegel's political theory is a complex affirmation of diversity in the context of affirming commonality.

Commitment to pluralism is also central to the conception of a polity understood as an earthly divinity, at least one of Protestant provenance. First, the Protestant principle of autonomous subjectivity mandates a pluralist view of social and political life. Commitment to the *Eigensinn der Subjektivität* leads to a differentiated social order, one that ratifies "all the manifold forms of consciousness and their most widely differing relations (*verschiedenartigsten Beziehungen*)."¹⁰⁶ In addition, the very idea of a divine spirit expressive of infinite subjectivity demands such attention to pluralism. On this view the absolute entails a process of worldly self-objectification that itself involves the division of spirit into separate parts.¹⁰⁷ Part of the self-objectification is a "the differentiation of spirit as a differentiation in itself."¹⁰⁸ This account flows specifically from a revelatory religion, one for which, Hegel says, spirit manifest itself in its "being for another" (*Sein für Anderes*).¹⁰⁹

A second theological source for a pluralist polity can be found in the idea of deliberativism itself. Proceeding from the notion that God is not "envious," the Protestant principle, in its conception of the relationship of the human and the divine, is committed to an inclusive account of *Mitteilung*, one that affirms the comprehensive interpenetration of universality and diversity.¹¹⁰ Central to the Protestant concept of a *communicatio idiomatum*¹¹¹ is just the idea that the divine reveals itself in and through what is alien or other to itself. Thus, to the degree that the Protestant principle endorses a deliberative conception of public life, it also affirms a pluralist conception of such deliberation, one that, on the model of revelatory communication, affirms diversity even as it fashions commonality.

4. Appreciation of the pluralist dimension of an "earthly divinity" also bears on the notion of the common good central to a polity understood in terms of deliberative self-constitution. Thus, while Hegel does advance a republican conception of politics directed to shared goals and values, it is not one that endorses any specific notion of the good. If for no other reason, this is ruled out by societal pluralism itself, which has rendered implausible what

Rawls has termed a *comprehensive* notion of what is societally desirable. Indeed, not unlike Rawls, who invokes Hegel in this context,¹¹² the modern state had come into existence precisely because the reality of modern social and cultural differences, reflected above all in the European wars of religion, has mandated political agnosticism as regards individual religious creeds. To the extent that one may speak of a common societal good, then, the focus is not on a particular doctrine but rather the process infusing attention to the common good. On Hegel's account of republicanism, what is shared is not a specific set of shared values but the value of public deliberation itself.

To be sure, unlike some proponents of deliberative republicanism, Hegel presents his version in religious terms. Moreover, unlike the "purely civil profession of faith" that informs Rousseau's civil religion,¹¹³ Hegel's is presented as a clear endorsement of Christianity. In this respect, his position is again closer to that of de Tocqueville, whose republicanism is likewise intertwined with a specific endorsement of Christianity. Unlike de Tocqueville, however, Hegel does not anchor his republicanism in an endorsement of the specific content of Christianity. At issue is not, say, a practical-political interpretation of the Christian Gospel.¹¹⁴ Rather, Hegel's invocation of Christianity is part and parcel of a republicanism defined in terms of the conditions of deliberativism and collective self-definition generally. At issue is affirmation of what Hegel sees as the distinctive feature of Protestant Christianity noted earlier—"the spirit of reflection" (*der Geist des Nachdenkens*).¹¹⁵ Christian republicanism, for Hegel, entails support not for a particular doctrine or creed but for processes of collective self-interpretation and self-definition.

To be sure, this is also not to say that, in the end, Hegel's is a strictly formalist or proceduralist account of republicanism. His is a substantive vision as well. A properly constituted community is infused with a common "spiritual content, the sacred bond that links men and spirit together."¹¹⁶ In this respect, Hegel's account of the relationship of religion and politics clearly differs from liberal accounts focused simply on the rules accommodating the expression of the diverse beliefs of private individuals. It is significant, though, that in this context, Hegel speaks of a *spiritual* content, for what characterizes a people as a spiritual entity—one reposed on the process of rendering substance subject—is just the process of self-reflection itself. It is not coincidental that Hegel characterizes the shared content of an earthly divinity as "indwelling self-consciousness,"¹¹⁷ one for which shared reflection on the conditions of common identity is the identity itself.

V

Many questions can be raised about Hegel's conception of an earthly divinity. Has Hegel succeeded in reconciling the spiritual and the secular? Has he managed to conjoin the religious and the political without reducing one to the other? In relating the two as he does, does he do justice to either?

In ascribing divine attributes to a people, has he authorized domination of non-human forms of life? What are we to make of the avowedly Christian character of Hegel's earthly divinity? Does this compromise any general reconciliation of the spiritual and secular? Even if it does not, can Hegel's model of a Christian republicanism serve as the basis for a general account of the relation of religion and politics, one that is sensitive to the reality of multicultural societies and the differentiated nature of global commonality? Far from instantiating a notion of world culture understood as universal self-consciousness, might not Hegel's Protestant idea of an earthly divinity only validate the charges of Western parochialism and Eurocentric chauvinism commonly levied against him?

These are all important questions. My aim with the present undertaking, however, was more modest: to shed light on Hegel's idea of an earthly divinity. In his conjunction of the religious and the political, Hegel is assumed not only to deify political structures but to do so in a way that subordinates the freedom of the individual to state domination. Such readings are bolstered by Hegel's appeal to Spinoza in explicating his conception of the state, both as regards a substance-attribute distinction and a notion of the state as self-causative. This chapter has challenged this view. Focusing on its emphatically worldly character, we have seen that Hegel's conception of an *Irdisch-Göttliches*, rooted in a Protestant concept of subjective freedom, accommodates a wealth of considerations bearing on political individuation. It endorses a self-individuating view of political cultures, a notion of political and societal diversity, a conception of public deliberation rooted in individual liberties, a notion of the common good that renounces any single creed while also affirming a pluralist account of political deliberation, an open-ended account of political identity, and a notion of the divine itself dependent on open-ended historical developments. In these respects, Hegel's theory of an earthly divinity is not only abreast but fully supportive of modern and even postmodern developments in culture and politics.

To be sure, Hegel's conception of modernity is itself unique, shaped by the religious considerations against which modernity is often defined. In recent years Jürgen Habermas has advanced the notion of "post-secularity," which, sensitive to requirements of democratic pluralism, seeks to fashion an account of public life that accommodates forms of religious consciousness traditionally neglected in conventional accounts of secular modernity.¹¹⁸ Hegel's conception of the political as an earthly divinity may be differently motivated. It is distinctive, though, in that it includes receptivity to religion and religious consciousness as a central component of an account of secular modernity itself.

Part III

Globality, Global Justice, and Interculturalism

10 Hegel's Conception of an "International 'We'"

Well known though he is for his arguments supporting notions of collective social and political identity,¹ Hegel is generally presumed to advance no arguments in support of collective identity at the international or global level. Indeed, he appears to suggest that such arguments are entirely without merit. On this view, the international order, to the extent that such a concept is even meaningful, is, for Hegel, comprised of wholly sovereign and self-sufficient nation-states whose existence renders not only unachievable but unintelligible supranational political structures. Indeed, Hegel is assumed to support an account of interstate relations more typified by Hobbes's war of all against all than the cosmopolitan comity articulated in Kant's idea of perpetual peace.

To be sure, not all those espousing this view assert that Hegel himself is a Hobbesian.² Precisely because assertions of state sovereignty are unintelligible without acknowledgment and respect by others of those assertions, he is recognized to claim that interstate relations depend on processes of cooperation and reciprocity not accommodated in "realist" accounts of international relations, at least those that focus on power alone.³ But in keeping with the apparent exclusionary and "atomistic" nature of his view of interstate relations, such cooperation and mutuality are largely of an instrumental sort, committed to preserving and consolidating the independence and sovereign prerogatives of self-sufficient national-political units. At most, states, on this view, enter into treaty relations with one another. Yet treaties (*Traktate*) are themselves adopted and accepted only to safeguard strategic self-interests, and, as with Hegel's account of contractual relations generally, will readily be disregarded and even breached as they cease to serve such interests.⁴ That international relations may be guided by notions of common purpose or shared transnational identity is a view that appears to occupy little place in Hegel's thought. One distinguished Hegel scholar recently expressed this sentiment when claiming that, for Hegel, "there is no international 'We.'"⁵

In this chapter, I question this understanding of Hegel's position. While I do not dispute that realism plays an important role in Hegel's account of international affairs, I do argue that his position is not exhausted by

a realist approach. I do so by noting that Hegel's *Äusserstaatsrecht*—the external law of states or the external public law commonly (mis)translated as international law—comprises two separate, though not unrelated, components: *Staatenrecht*, what may be termed interstate law; and *Völkerrecht*, the law of peoples or international law proper.⁶ Both forms of law forefront nation-state sovereignty; as against Kant, Hegel assigns no place to cosmopolitan law (*Weltbürgerrecht*).⁷ Yet the two have decidedly distinct foci. Interstate law addresses nation-states in their *legal-political* dimension, is concerned with the formal and external relation of states, and attends to such conventionally realist issues as power relations, treaty arrangements, and claims to sovereign inviolability. By contrast, the law of peoples—*Äusserstaatsrecht* in its “true actuality”⁸—concerns nation-states in their *cultural* dimension, is focused principally on the internal and substantive relations of nations and peoples, and accommodates structures of cooperation, interdependency, and commonality. While *Staatenrecht* dismisses as unintelligible supranational institutions and other forms of global governance, *Völkerrecht*—so it will be here argued⁹—accentuates not only the intelligibility but the necessity of a culturally conceived globality focused on shared purposes and a notion of common or “universal identity” (*allgemeine Identität*).¹⁰

My discussion is divided into three main sections. First, I explicate Hegel's culturalist notion of the nation-state, noting how claims to identity, far from championing—as with Herder—separatism and uniqueness, actually facilitate notions of global interdependency and shared identity. Special attention is given here to Hegel's rendering of cultural identity in terms of the idea of *self-consciousness*, a move that enables him to construe the interactions of nations or peoples in terms of a notion of reciprocal recognition dedicated not just to ratifying but constituting cultural identity.¹¹ Second, I delineate the content of Hegel's idea of a global identity, which consists in a global commitment to the *idea of right*. Here, I note how Hegel reaffirms features of Kantian cosmopolitanism, but in a way deriving not from abstract principles but from attention to the conditions for the self-realization and mutual recognition of distinct and sovereign peoples. Finally, I note that the notion of right that informs the law of peoples, even as it derives from a variety of distinct cultures, is dependent on processes of interpretive application that also reaffirm those differences. Here, I argue that attention to global interdependency, far from eclipsing consideration of local and particular differences, depends for its reality on their incorporation.

In broader terms, this chapter not only seeks to clarify Hegel's insufficiently scrutinized notion of global identity, a notion fully consistent with an understanding of selfhood programmatically defined as the *identity of identity and difference*. It also aims to contribute to current discussions of such concepts as cultural identity, national sovereignty, globalization, transnationalism, cosmopolitanism, and a global public sphere, indicating how

Hegelian thought can be mined to fashion solutions that eschew the rigid dichotomies that continue to beset their contemporary thematization.

I

When Hegel claims that a nation or people must be comprehended culturally, he means this in the widest possible sense—with regard to that totality of conditions and relations that uniquely characterize a community and concretely distinguish it from others. A nation is understood first and foremost not in terms of formal legal-administrative structures. While such considerations are encompassed in the idea of a nation or people, the latter denotes the distinctive ensemble of all of a nation's attributes—"religion, constitution, system of justice, industry, trade, arts and science, military world, world of valour."¹² It is for this reason that a people is best conceived as the spirit of the people or the *Volksgeist* and why the components of a law of peoples are *Volksgeister*. Granted, Hegel occasionally employs the terms state and nation synonymously, going so far to characterize a people as state ("*das Volk als Staat*").¹³ He does so, however, not because in the end he elects to narrow his understanding of nation but because the institutional structures associated with organized political community most effectively articulate the broader notion of cultural identity he seeks to capture in the concept of nation or people. It is in this regard that he employs the term "state" in the "comprehensive sense" of a cultural totality, one for which the state is construed not just from "the external side" but as a "wholly spiritual entity" (*als Geistiges überhaupt*) understood as "those spiritual powers that live within the nation and rule over it."¹⁴

It may seem, however, that a *Völkerrecht* fashioned from the cultural identity of individual peoples is not especially hospitable to notions of transnationalism or global interdependence, let alone global identity. Indeed, it may appear even less so than a theory focused on the relationship of states. In its recognition of abstract claims to existence and territorial integrity, the latter at least makes reference to shared values, including those of independence, autonomy, and even respect and fairness. In contrast, the former, in forefronting the unique values and distinctive life-forms of a particular cultural community, would seem to preclude attention to any cross-cultural commonality in values or identity.¹⁵ Hegel himself seems to suggest as much when characterizing nation-states in their cultural identity as "completely independent (*selbständige*) totalities."¹⁶

Closer inspection, however, reveals a more nuanced position. While Herder may advance a notion of cultural identity that champions the particularity and irreducible uniqueness of valued forms of life,¹⁷ and while contemporary invocations of cultural identity in a similar manner often culminate in separatism and enclavism,¹⁸ Hegel's position has just the opposite result. Recognition of claims to cultural identity not

only challenges claims to complete self-sufficiency on the part of cultural entities, but does so in a way that elaborately affirms forms of global interdependence and commonality.¹⁹ The point can be made by noting the centrality of the principle of *self-consciousness* to Hegel's conception of cultural identity.²⁰

Self-consciousness is important in this context for at least two reasons. First, it is the principle in virtue of which one can speak of the identity or "spirit" of a people. A nation is comprised of myriad attributes that can be related in myriad ways. It is in the collective self-understanding of a people, its apprehension of itself through these attributes, that the latter are related in the distinctive manner needed to speak of a national consciousness, a unified national identity, or, as one might say today, a national imaginary.²¹ Second, self-consciousness establishes for a cultural community its particular distinctiveness. In order to account for the uniqueness of a particular culture, it is not enough, according to Hegel, to appeal just to modes of external analysis and observation. While such outside perspective certainly plays a role in an account of cultural identity, the latter itself cannot be comprehensively fashioned in an exogenous manner, but must be construed as a product of a culture's own efforts at definition and comprehension. In Hegel's language, identity must be conceived not only "in itself" but "for itself" as well. Yet such productive self-positing is just how Hegel understands self-consciousness, a process that not only sustains itself throughout its particular expressions but establishes its specific identity in the awareness of unity as sustained throughout difference. As both a unifying and distinguishing principle, self-consciousness is central to a notion of cultural identity understood as a "completely self-sufficient totality."

Appreciation of the place of self-consciousness in Hegel's notion of cultural identity is, for present purposes, important because it demonstrates the degree to which Hegel's concept of national sovereignty is intertwined with a robust notion of reciprocal recognition, one that serves to constitute the identity of a particular community and, in so doing, global identity as well. It is a basic feature of Hegel's epistemology and his social ontology that self-consciousness and selfhood generally are understood intersubjectively. Against the tradition of Cartesian "privacy," Hegel maintains that the self is conceivable only in relation to another self, and that first self is properly known to itself only to the degree that it finds itself in the consciousness of an other. To recall the celebrated sentence from the *Phenomenology of Spirit*: "Self-consciousness attains its satisfaction only in another self-consciousness."²² As regards the identity of cultural communities, Hegel argues similarly, if not with the same detail.²³ As noted, a community fully affirms its distinctiveness in its self-consciousness—in its consciousness of its own identity. Such consciousness, however, is not achieved introspectively. Given Hegel's claim, derived from Kant, that self-consciousness is the identity of identity and difference, self-knowledge must acknowledge and encompass that which is other or alien to itself. It

is through conscious reference to another that consciousness shapes and validates its own specific identity. In the present case, self-consciousness of a culture is properly obtained only in relation to other peoples and cultures. As Hegel writes, it is in "the relationship of nations to other nations" that a people is able "to perceive itself . . . and to have itself as an object."²⁴

For Hegel, at least three things are meant by this appeal to other cultures. First, a culture must recognize cultures other than its own. Cross-cultural comparison is a basic means by which one culture can appreciate its own distinctiveness.²⁵ Second, the first or originating culture must also *be recognized by* another culture. If one culture is to gain a proper perspective on its own specific identity, it is not enough that it merely contrasts itself to another cultures. If that perspective is to be distinctive in an expansive way, it must be furnished by the other culture itself. Third, the original culture must recognize its recognition by the other. With regard to the self-identity of an originating culture, it is not enough that the other simply provides a different or alternate perspective. That perspective can serve to enrich the original culture—it can enable it to fashion an identity expressive of the identity of identity and difference—only if it is also able to find itself in the other. The originating culture can acquire a comprehensive sense of self-identity—it "becomes what it is"—only when integrating the other's consciousness of itself.

Hence, while proceeding from the reality of national sovereignty, Hegel does not affirm an "atomist," self-contained, or exclusionary view of the relationship of peoples and nations. Rather, the very assertion of sovereign self-sufficiency includes a moment of self-transcendence.²⁶ Although appeal to the concept of self-consciousness is meant to define what is most specific to a cultural community, its actual formulation culminates in an expanded and inclusive consciousness of self, an enlarged mentality that also serves to challenge parochial self-understandings. This is so not only because cultures require for their own identity the recognition of those other than their own; it is also because identity itself depends on incorporating diverse conceptions and self-conceptions. Cultural self-consciousness is not only self-transcending; its very identity includes a plural and even "hybrid" dimension. Nor should it be assumed that the enlargement and differentiation resulting from the recognition process simply supplement an already-existing self-identity. Hegel's central point is rather that the self is fully constituted as such only in such recognition. When regarded as strictly legal-political entities, states may confront one another as fully self-contained units. When viewed as cultural entities defined in terms of self-consciousness, however, communities find their realization in recognitive processes. One nation is "completed" (*vervollständigt*) in the recognition of the other.²⁷ Like Herder in his own day, and with certain identity theorists today, Hegel attends to the "authenticity" of a culture. In his view, however, claims to authenticity eschew

appeals to the irreducibly uniqueness of cultural experience and accentuate instead that which is alien and other to itself.²⁸

Hegel, of course, does claim that nations-states are "completely self-subsistent totalities." Yet this assertion is not inconsistent with the claim that nations are also mutually constitutive in the manner just described. This would be the case were they regarded only from an external perspective, only, as Hegel would say, for us or "*an sich*." It is indeed as "*vollkommen selbständige Totalitäten an sich*" that they are juxtaposed in the atomist manner appropriate to a formal-legal account of their relationship. Yet cultural totalities are not properly understood only from this external perspective. They are properly understood only when also considered internally, when understood from the perspective of their own self-understanding. Indeed, it is in their self-consciousness, in the degree that they construe themselves as objects, that they claim reality and indeed self-sufficiency. The proper objects of international law are indeed "entities that are in and for themselves."²⁹ As we have seen, though, such self-reflexivity, for Hegel, entails intersubjectivity. Thus, to acknowledge the self-sufficiency of cultural forms is also to note the degree not only that they advert to other cultures but depend on the latter's recognition for their own identity.³⁰ Cultural totalities are self-conscious totalities, autonomous in their consciousness of their self-sufficiency, and therefore, both on ontological and epistemological grounds, "depend on the perception and the will of the other."³¹

From the foregoing, it may seem that the process of recognition has a decidedly instrumental character, one at variance with the mutuality presumably required for an account of global interdependence and commonality. That is, it may seem that recognition of or by the other is required merely to enable the originating self to achieve its own realization and fulfillment. Nor does Hegel dispute that instrumentalism is part of the recognition process. His treatment of the master-slave relationship dramatically demonstrates how struggles for recognition can involve manipulation, coercion, domination, insult, and even annihilation. Properly construed, however, autonomous self-identity depends on a recognition process that eschews such asymmetry, that indeed aspires to reciprocity and mutuality. This is no less the case with communities than with individuals—a point Hegel makes in his unequivocal condemnation of colonialism.³²

If the recognition process is the means by which the originating community attains its identity and self-sufficiency, this itself presupposes that it affords the same recognition to the recognizing community. This is so not just because any comparative recognition by one culture of another requires that the other be properly understood on its own terms; nor is it just because the other community can provide a perspective on the originating community different and more expansive than that possible from a monological perspective. Hegel maintains as well that the originating culture can find itself in the other only if prepared to recognize and valorize the other as another autonomous entity. It may be that the identity

of one community "is completed by the recognition on the part of other states. But this recognition requires a guarantee that the state will likewise recognize those other states, . . . i.e., that it will respect their independence (*Selbständigkeit*)."³³

Mutual recognition, however, is understood by Hegel as something more than a matter of reciprocal respect. It serves as well to fashion a common interest and a common identity. As in the relation of individuals, so too with communities: the "I" tendentially becomes a "We." Inasmuch as reciprocal recognition serves to transform initial self-conceptions in light of challenges provided by the other, and inasmuch as each is reciprocally transformed in integrating the other's conceptions and self-conception, the recognitive process sets in motion a dynamic that contributes to the formation of an enlarged self, a interpersonal or corporate self forged in the increasing convergence of individual self-conceptions. The dialectic interchange of national self-consciousnesses contributes to a "trend . . . towards unity"³⁴ culminating in the universal self-consciousness Hegel variously terms "inner universality"³⁵ and "universal identity."³⁶ The requirements of recognition on the part of particular cultural communities serve to forge a global "general will,"³⁷ a common global interest that, while rooted in particular notions of identity, is more than their mere aggregation.

To say that Hegel is committed to a notion of collective identity at the global level is, to be sure, not to say that he is supportive of supranational political structures, be it a world state or even a world federation. His well-known arguments against forms of global governance,³⁸ well considered or not,³⁹ are unambiguous and cannot be gainsaid here. Yet the fact that Hegel puts little stock in structures of global governance does not mean that he rejects the idea of a global community or an international We. What he rejects is only its inappropriate construal. A legal-political or institutional construal of global community is indeed inappropriate for a law of peoples focused on nation-states understood as cultural entities. Not inappropriate is its cultural construal, and this is how Hegel proceeds.

Characteristic of "the mutual recognition of free national individualities (*Völkerindividuen*)"⁴⁰ is precisely the emergence of a shared identity focused on practices, customs, traditions, beliefs, and principles. In a law of peoples, communities are increasingly connected and defined "with respect to the universal principle of their legislation, values, and culture."⁴¹ What Hegel said of a universal self-consciousness generally applies as well to a universal global identity—it manifests the "cultural essentials" (*wesentlichen Geistigkeiten*) that substantively bind a community.⁴² In this regard, Hegel claims that the shared values of nations express a global ethos (*Sitten der Nationen*)⁴³ that represents the principle on which a law of people is ultimately "based."⁴⁴ It is thus unsurprising that the law of peoples culminates in an account of world history, which qua "progress in the *consciousness* of freedom,"⁴⁵ is preeminently a cultural category, at least the category in Hegel's "system" effectuating the transition from the legal-political

domain of "Objective Spirit" to the more strictly cultural spheres (art, religion, and philosophy) of "Absolute Spirit." The "dialectic of . . . finitude" that governs the reciprocal relations of individual *Volksgeister* results in affirmation of a domain understood not as *Weltstaat* but *Weltgeist*⁴⁶—not a system of global governance but a historically emergent global consensus on values and principles.

II

What, then, is the content of Hegel's culturalist account of a global identity? To answer this question, we must again bear in mind the centrality of self-reflexivity to Hegel's notion of culture. The values Hegel sees individuals and peoples embracing in accepting a law of peoples are just the conditions for their cooperation, indeed the principles of international sociation itself. Global commonality is sustained, for Hegel, by emphatic commitment to the principle of *right*, the same principle informing Kant's account of *Völkerrecht*.⁴⁷ Appropriate to a "universal identity" is the concept of "universal right," deemed to possess "validity in and for itself."⁴⁸ He put the point unambiguously in his *Philosophy of History*, whose relevant passage is here cited in the original: "*Die Völker wollen das Recht an und für sich; nicht bloß die besonderen Traktate gelten, sondern zugleich Grundsätze machen den Inhalt der Diplomatie aus.*"⁴⁹

This statement is especially illuminating for at least two reasons. First, in asserting that peoples will right as intrinsically valid, Hegel is again demarcating a law of peoples, international law proper, from interstate law. Whereas the latter attends at most to the treaties and conventions a community may embrace in pursuit of its perceived self-interests, a law of people thematizes norms that have independent standing and validity. The commonality sustaining *Völkerrecht* is not the amalgamation or aggregation of communal interests and preferences. Instead, a law of peoples is characterized by a commitment to general principles, to moral norms deemed universally binding. Indeed, consonant with the self-reflexivity appropriate to a notion of right understood as valid in and for itself, a properly construed notion of *Völkerrecht* has as its object the conditions for international comity itself. In fashioning his own account of international justice, John Rawls, who also demarcates peoples from states, writes that the stability of law a peoples "is not a mere *modus vivendi* but rests in part on an allegiance to the Law of Peoples itself."⁵⁰ Hegel could have said exactly the same thing.

Second, the passage cited exemplifies Hegel's contention that right is not understood as a universal norm abstractly juxtaposed to the life-forms and self-conceptions of individual cultures. While Hegel shares with Kant the notion that international law is governed by an emphatic concept of right, his is not understood as a moral postulate or an a priori principle of reason.⁵¹

Against such juxtaposing of normative principles to particular forms of cultural life, Hegel claims that the assertion of such norms is intertwined with particular processes of cultural self-valorization. Central to the idea of right informing a law of peoples is its assertion and adoption by the peoples themselves. This means that the validity and even the reality of norms are not separate from the conditions motivating their acceptance. The justification of "deontological" principles goes hand in hand with an account of the conditions of individual self-realization, just as assertion of the universal principle of right is simultaneously explication of what is culturally desirable. The point flows from Hegel's view of the place occupied by the principle of right within a system of recognition. As the concrete articulation of the notion of mutual respect and equality of treatment, right is itself the embodied expression of the idea of achieved recognition. As Hegel already noted in his 1805 to 1806 Jena writings, right is the principle of *Anerkanntsein*.⁵² Thus, the process by which peoples come to realize themselves via practices of inter-subjective recognition is itself clarification and validation of the "universal principle" of right that Hegel claims must govern a notion of international law.⁵³ A law of peoples' principle of right "is the presupposed recognition of the several states" (*vorausgesetzte Anerkanntsein der Staaten*).⁵⁴

A comment regarding Hegel's view of cosmopolitanism is here in order. Commonplace assumptions notwithstanding, Hegel is not opposed to cosmopolitanism itself. Such would be inconceivable for one who stresses that "[a] human being counts as such because he is a human being, not because he is a Jew, Catholic, Protestant, German, Italian, etc."⁵⁵ What Hegel does reject is the "one-sided"⁵⁶ cosmopolitanism—he suggestively calls its cosmopolitanism (*Kosmopolitismus*)—that abstractly juxtaposes "moral commands" and humanitarian or "philanthropic" precepts to particular conceptions of well-being and to "the concrete life of the political community."⁵⁷

Such juxtapositions fail to appreciate that appeals to personal dignity mean little without accompanying enforcement mechanisms. They also fail to appreciate that "universal" norms themselves emerge and attain validation only in concrete processes of interaction.⁵⁸ It is significant that Hegel thematizes the humanity of the person in his account of civil society, itself constituted through pervasive structures of mutual independency.⁵⁹ It is equally significant that the principles of the universality of right and spirit that inform *Völkerrecht* only emerge via the "dialectic" of individual *Volksgeistern*.⁶⁰ In Hegel's "situated" or "rooted" cosmopolitanism,⁶¹ world history is the world's court of judgment,⁶² its principle of "absolute right."⁶³ This, too, is a component of the claim that peoples will what is right in and for itself.

III

Hegel's idea of rooted cosmopolitanism is significant not just because it clarifies the nature and origin of norms informing his law of people, but

because it also throws light on the concept of universal identity infusing the latter. This becomes clear when we appreciate that appeal to situated experience not only defines and validates norms but specifies the conditions of their contextual application. Matters of application are essential, because it is only as regards their contextualization that norms assume binding value for those to whom they are addressed. A norm—in this case, universal right—may be generated and validated as a *principle* through processes of recognition; it can claim legitimacy for a particular community, assume the status of an *Idea*, only when interpreted and articulated in terms meaningful to the traditions, values, beliefs, and practices of that community. Hegel makes the point in his account of constitutional law, asserting that a legal system claims binding force for a community only in expressing “the customs and consciousness of the individuals who belong to it.”⁶⁴ He argues similarly when explicating the law of peoples, whose legitimacy depends, he writes, on a “special wisdom” able to fashion “universal principles” of conduct with regard to the exigencies of “a particular state in its specific interest and condition.”⁶⁵

That a law of peoples thus depends on contexts of application may appear to pose problems for an account of universal identity or global commonality. What characterizes the world's peoples and cultures, for Hegel, is precisely their manifold diversity. The “multifarious reality” of the world's cultures is reflected in the diversity of their “geographical and anthropological” circumstances,⁶⁶ the “plurality” of organizational forms,⁶⁷ the enduring power of religious and other particularizing sources of cultural identity,⁶⁸ and the ever-changing nature of social circumstances that shape the identity of a community. It is as regards such diversity that one may rightfully speak of the “Herderian legacy” of Hegel's cultural philosophy.⁶⁹ If this is the case, however, how can Hegel meaningfully assert a notion of global commonality? Doesn't appeal to unity and shared identity founder on the shoals of difference and particularity?

Such questions may be answered by noting that a notion of global community, for Hegel, is not a homogeneous sort that eschews difference and diversity. While a law of peoples finds expression in a shared commitment to the idea of right, it is not one that culminates in a Gadamerian “fusion of horizons,” where diverse perspectives are merged and perhaps eliminated.⁷⁰ On the contrary, global universal identity is not only compatible with heterogeneity, it is sustained by it.⁷¹ This point is central to Hegel's understanding of genuine totality, a genuine notion of globality. It is a basic tenet of Hegelian thought that a genuine unity is defined not in terms of abstract principles of uniformity juxtaposed to the particulars to which they apply but as a “concrete” unity, or “totality,” in which the universal is not only embodied in particulars but exists through them.

Hegel's is an organic or “living” notion of unity, one in which the whole subsists only through the parts just as parts subsist only through the whole. He makes the point in his account of a political unity, which he

characterizes as a "whole differentiated into its particular domains."⁷² He does so as well when challenging the deficient notion of totality that found expression with the Roman Empire. On the Roman model, totality consists in an abstract system of global dominion indifferent to the distinguishing variety of peoples and individuals—in Hegel's words, an "abstract universality. . . in which the individualities of peoples perish in the unity of a pantheon," giving rise thereby to "an abstract and arbitrary will of increasingly monstrous proportions."⁷³ In contrast, a genuinely "concrete whole"⁷⁴ is a commonality that not only accommodates the specific diversity of individual cultures but is constituted through them. Not unlike that of certain social theorists today, Hegel's principle of globality is necessarily a *glocal* principle, one based on the thorough and, indeed, organic permeation of global and local considerations.⁷⁵

The differentiated nature of Hegel's account of globality becomes clearer when we consider the place of subjectivity and reflexive self-awareness in his account of a totality. As a general matter, "self-awareness" (*Selbstgefühl*) plays a central role in a genuine totality, inasmuch as the relationship of parts and whole must be evident not just to an external observer (a state of affairs that undermines claims to *totality*) but to the entities themselves.⁷⁶ In line with his general assertion that substance is also to be understood as subjectivity, Hegel maintains that an individual political community is constituted as a whole only to the degree its members understand the relation of their membership to the whole. "The universal end cannot be advanced without the personal knowledge and will of its particular members."⁷⁷ He makes the same point in describing a global totality, in a passage that also reaffirms a cultural (rather than political) notion of global identity. No doubt adverting to the Roman experience, he asserts that "[t]he identity of the universal" is not that of "abstract world dominion (*Weltherrschaft*) . . . but the hegemony (*Hegemonie*) of self-conscious thought."⁷⁸ As against a one-sided idea of totality that imposes a principle of uniformity on the particulars, a genuine unity, a genuine universal identity, subsists only in the conscious acceptance by individual cultures and peoples of their global membership.

In recent years, social theorists have also characterized globalization in such culturally reflexive terms. Roland Roberston, for instance, has called it "the intensification of consciousness of the world as a whole."⁷⁹ Hegel is sympathetic to this view, yet his point in stressing the *hegemony* of self-conscious thought is to accentuate the dependence of a global identity on the *differentiated* perceptions and experiences of members of the global commonality. Global identity does not depend on an undifferentiated affirmation of common ends, no more than it does on an undifferentiated fusion of individual horizons. It results instead from the process and practice of the world's peoples and nations asserting, individually and from their own perspective, their own self-identity.⁸⁰ This is so not just because any notion of *shared* identity presupposes

appreciation as much of how we differ as it does of what we may have in common, a point Hegel makes *inter alia* in his account of political representation.⁸¹ It is also his view, consonant with his intersubjective account of self-identity, that successful processes of cultural self-realization are simultaneously processes acknowledging that culture's dependence on other cultures, fostering thereby a consciousness of general global interdependency. "Universal self-consciousness is the affirmative awareness of self in another self."⁸² And just as a global identity emerges from the reflexive self-understanding of individual cultures, it is sustained by affirming their diversity, above of all, self-understandings of their diversity. This point is advanced more clearly in Hegel's philosophy of history than in the political philosophy and is illustrated in his treatment of the relationship of *Volksgeist* and *Weltgeist*.⁸³

Central to Hegel's account of universal identity (and realized freedom) is that the "restricted" (*beschränkte*) principles of individual *Volksgeister* must give way to the "unrestricted" (*unbeschränkte*) principle of the *Weltgeist*.⁸⁴ Yet the relationship of the two principles is one not of opposition but codependency. On the one hand, assertion of a global consciousness results not by repudiating a particular cultural form but through the latter's immanent development and realization. A particular community can be properly recognized as particular or restricted only if—here Hegel differs from Kant and Fichte—it posits itself *as* particular or restricted.⁸⁵ Yet such particularizing self-positing is possible, as Hegel argues in his logic's account of the dialectic of limitation (*Schranke*),⁸⁶ only with a concurrent awareness and affirmation of that beyond limit. A complete account of the identity of a particular historical community therefore entails affirmation of the identity of other particular cultures, those past⁸⁷ and future⁸⁸ included, as well as global commonality itself. It is via the *Weltgeist* that "every people . . . attains its proper self-awareness (*Selbstgefühl*)."⁸⁹ Conversely, the "unrestricted" *Weltgeist* likewise has proper standing only when fashioned "as" unrestricted.⁹⁰ Yet this is possible only with awareness and affirmation of what is restricted and particular. Not only does the *Weltgeist* subsist through the particular *Volksgeister* but, *qua* "self-apprehending totality,"⁹¹ it depends, in the self-transcending and other-affirming sense just noted, on the latter's self-understanding as particular.

From both perspectives, then, Hegel's universal identity has decidedly mediated and differentiated character. On the one hand, global consciousness, including openness to the other, proceeds from one culture's reflexive awareness of its own individuality. Anticipating Hannah Arendt, Hegel maintains that appreciation of the perspectival nature of one's own stance preconditions an enlarged mentality.⁹² On the other, universal identity itself is predicated on acknowledgment and affirmation of global diversity. Not unlike Anthony Appiah today, Hegel maintains that a global consciousness entails not abstract humanism but, as is appropriate to a

conception of universal spirit understood as world spirit, a worldliness or "*Weltweisheit*"⁹³ committed to affirming "the variety of human forms of social and cultural life."⁹⁴ Hegel does advance a globally relevant concept of universal identity—an "international 'we,'" as it were, but one that both presupposes and entails robust commitment to global differences.

IV

Let me conclude by returning to the concept of right informing Hegel's law of peoples. While the recognitive process yields a concept of right serving as an overarching principle of universal conduct, the legitimacy of that concept depends on processes of interpretive adaptation sensitive to the diversity of global cultures. The application process is not a static one, however. It is one in which both poles are subject to transformation, where valid norms are fashioned to express local practices, just as these practices are "modified" to express wider principles.⁹⁵ It is in this process of mutual adaptation that an "ethos of nations" and ultimately a global spirit are constituted. Yet the adaptation process never achieves final resolution. This is barred by the endless variety of circumstances to which norms are applied and reapplied. In line with a concept of *Weltgeist* understood as spirit's "unending struggle with itself,"⁹⁶ Hegel sees global culture as a site of ongoing and unceasing contestation about the meaning and application of the concept of right. Yet this lack of closure in no way undermines the idea of global identity. Rather, a world spirit, understood as spirit's "interpretation of *itself* to *itself*,"⁹⁷ is constituted in its unity just through its conflicts. Consonant with the higher-level struggles Hegel claims are appropriate to achieved forms of mutual recognition,⁹⁸ it is in the oppositions that the whole is fashioned and sustained.⁹⁹ Here, too, Hegel advances a notion of globality understood as the identity of identity and difference.

11 Hegel, Global Justice, and the Logic of Recognition

In the previous chapter, I detailed the elements of Hegel's law of peoples, noting how by adverting to a *culturalist* notion of political units, Hegel affirms the reality of bounded communities in a way that facilitates notions of global interdependency and mutuality rather than atomism and instrumentalism. There special attention was given to Hegel's rendering of cultural identity in terms of the concept of *self-consciousness*, a move that allows the relations of peoples to be construed in terms of a notion of reciprocal recognition dedicated not just to ratifying but constituting identity.

In this chapter, I appropriate these general findings regarding Hegel's concept of a law of peoples with the aim of explicating a Hegelian account of global justice. My discussion is divided into five basic sections. First, I indicate how the notion of recognition informing Hegel's law of peoples entails a commitment to a notion of global justice directed to forms of economic redistribution, rooted, however, not in centralized, top-down administrative structures but in conditions for local self-determination. Second, I argue that while, for Hegel, relations of reciprocal recognition call for programs of economic redistribution in response to material inequalities, those inequalities must themselves be understood as subjectively experienced forms of disrespect, dishonor, and disenfranchisement requiring recognitively structured solutions. Third, I extend to the global arena what Hegel said about the cultural dimension of poverty in the domestic sphere, suggesting that a proper response lies not in celebrating indigenous forms of cultural identity but in fashioning a global political culture forged and sustained in a variegated network of intercultural structures and practices. Fourth, I explicate the concept of right that informs a notion of justice rooted in intercultural processes of mutual recognition, focusing especially on a "situated" cosmopolitanism that eschews traditional distinctions between deontological and teleological accounts of normativity. Fifth, I note that, while Hegel's historically rooted cosmopolitanism displays a partiality to Western norms of right and justice, his commitment to a recognitive account of rationality

dictates that cosmopolitan norms, as a condition of their concrete validity, not only accommodate the traditions of diverse cultures, but do so in a way that promotes a more globally inclusive, less parochially Western, account of universal principles.

I

To appreciate the possible usefulness of Hegel's law of peoples for an account of global justice, one must ask how Hegel does or might address the fate of less affluent peoples—those burdened by what Rawls calls unfavorable conditions. Given the emphasis Hegel places on cultural considerations, it may seem that he would follow Rawls in locating the source of these difficulties in the traditions and cultural practices of the peoples in question. Nor is he unsympathetic to such an approach. Still, his appreciation of forms of global interdependency entails that he also attend to external sources of such difficulties. In the case of his own time, for instance, he noted how problems in non-European societies were often traceable to practices of European countries, which had established colonies abroad as a way to address pathologies (e.g., overproduction, unemployment, and poverty) associated with the boom-bust cycles of modern industrial economies.

To be sure, Hegel is not opposed to the externalization and internationalization of market mechanisms. For him, global commerce serves to forge ties between peoples worldwide, thus contributing not only to the “global education of humanity”² but to realization of a world spirit—an ethically defined “world interest.”³ Still, Hegel saw in modern colonialism, with its “subjugation” of the colonies to the dominion of the motherland, a social system structurally committed to withholding rights from the colonized.⁴ He criticizes such practices, but not through recourse to general principles of justice—say, the “public rights of man” invoked by Kant in *Perpetual Peace*.⁵ Elsewhere, Hegel may assert that any enslavement violates human dignity and humanity itself, whose “essence” is freedom itself.⁶ Here he claims that colonial subjugation is principally wrong because it denies to the colonized freedoms enjoyed by inhabitants of the colonial mother country. Colonialism disturbs a law of peoples predicated *a limine* on norms of reciprocity.

Hegel champions the independence and sovereignty of colonized peoples. But he does so, again, not by appealing to a general notion of justice, say, the doctrine of natural rights invoked by the American colonists in their struggle for independence. Instead, liberation of colonies is tied to the welfare of the colonizers themselves. “The liberation of colonies itself proves to be the greatest advantage to the mother state, just as the emancipation of slaves is of the greatest significance to the master.”⁷

Hegel's point is in part instrumental: self-sufficient former colonies—he refers to developments in America—offer significant material and commercial benefits for the colonizing power. More significant, however, is his claim that the liberation of the colonies conditions the autonomy of the colonizers themselves. The point is basic to his view of the centrality of developed relations of recognitively mediated intersubjectivity for the possibility of autonomous self-identity itself. If personal autonomy depends on the recognition of the other, and if that recognition is meaningful only when freely given, then liberation of the colonies, including commitment to their self-determination, is a condition for the self-realization of the colonizers themselves. What Hegel says about the master/slave relationship generally obtains here as well: “it is only when the slave becomes free that the master, too, becomes completely free.”⁸ The colonists may find themselves in the other only if they are prepared to valorize the other as another autonomous entity; they attain their “self-awareness only by regarding the other as other.”⁹ As regards a law of peoples, one culture may initially regard the other's recognition of it as simply a means for its own identity formation, yet the other's recognition itself is possible only if the original culture is also committed to recognizing the autonomy and sovereignty of the other. “[T]rue freedom consists in my identity with the others; I am only truly free when the other is free and is recognized by me as free.”¹⁰ It may be that the identity of one state “is completed by the recognition on the part of other states. But this recognition requires a guarantee that the state will likewise recognize those other states.”¹¹

What, then, are the obligations of affluent to less affluent peoples for Hegel? For one thing, Hegel would expect some form of economic transfer of wealth from one community to another. He claims that some measure of socioeconomic redistribution is necessary in domestic societies and he would likely make the same claim at the international level as well. He would do so, however, not for the reasons typically adduced for such obligations. It would not be for care, beneficence, utility, fairness, or even rights. Instead, obligations would flow from the conditions of recognition itself. As noted, the autonomy and self-identity of one community depends on its recognition by another. Such recognition is meaningful, however, only if it is freely provided; the freedom of one depends on the freedom of the other.

For Hegel, however, freedom is understood as *bei sich Selbst sein*—as selfhood in otherness. In this regard, freedom is a positive as well as negative concept.¹² It encompasses not just formal opportunities to pursue chosen interests but conditions for freedom's actual exercise, that is, the capacity to find oneself, in fact, in the conditions of one's existence. An individual can exercise freedom, however, only if resources necessary to do so are available. Hence, to the extent that one culture depends for its own autonomy on the

free recognition and thus the autonomy of others, it must also be prepared to assist with the resources enabling a people to engage in the self-expression central to that autonomy. Such assistance, to be sure, cannot be unlimited, as this would undermine the autonomy of the originating community. Indeed, the proper amount would itself have to be a product of recognitive dialogue. Still, the perspective of a theory of recognition would suggest that some transfer of wealth is not only allowed but required.

To say that Hegel would support redistributive measures to address global injustice is not also to say that he would thereby empower centralized organizations and institutions to implement such measures. Leaving aside his general critique of global government, and leaving aside further the likelihood that, for him, any form of compensation would emanate from individual nations, here it may be noted that a centralized approach (“from the top downwards”¹³) can contribute to the forms of domination in question. While international regulatory may counteract the forms of economic inequality that flow from purely market-based approaches to global welfare, they can also, as Hegel made clear in his discussion of statist solutions to socioeconomic distress at the domestic level, contribute to and exacerbate the very forms of dependency that an account of recognitive mutuality would redress.

On a Hegelian account, then, a proper response to maldistribution at the global level would require empowering the peoples and communities affected by such injustice. Hegel makes this type of argument at the domestic level, where, addressing the poverty and pauperization generated by market economics, he appeals not to statist measures but to sub-political cooperatives or corporations comprised of those affected. And he would likely appeal to such decentralized, self-governing bodies—what domestically he calls the “pillars of public freedom”¹⁴—in addressing market arbitrariness at the global level as well.

In *The Rights of Others*, Seyla Benhabib identifies components of an approach to global economic injustice sensitive to the conditions for such self-governance: “sustainable growth projects; helping indigenous industries and economies to develop through small loans; liberalizing and democratizing the governance of institutions such as the World Bank and the International Monetary Fund; making criteria for the award of loans and grants from world-lending institutions more transparent and democratic; debt amnesty for struggling third world economies; and controlling and penalizing speculations in financial markets which endanger weak economies.”¹⁵ Although Hegel proffers no such proposals himself, an effort to address issues of redistributive global justice from the perspective of recognition theory would certainly also attend to such endogenously generated solutions.

Certainly, the expectation that responses to global economic injustice accommodate the conditions for self-determination of those affected

does not mean that the solutions themselves must assume local form. Because the problems themselves are intertwined with the global economic order, rectification will require global or transnational initiatives. Hegel's point is only that any solution to economic injustice at the global level will require a nuanced and differentiated approach, one that, vertically as well as horizontally, mediates universal and particular considerations.¹⁶ Such an approach is in keeping with the very appeal to subpolitical cooperatives, which, however juxtaposed to statist mechanisms, are conceived to facilitate connections between private interests and public concerns.

But it is also flows from an account of globality, which, consonant with a proper understanding of a polity ("an articulated whole whose parts themselves form particular subordinate spheres"¹⁷), subsists in its differentiated, pluralistic, and polycentric constitution. Hegel would second Thomas Pogge's advocacy of a "multilayered scheme," one that disperses political authority over many different formal and informal, regional and transnational, governmental and nongovernmental forms of decision-making.¹⁸ It is through this type of complex, differentiated, and even confederated understanding of global community that a response to global distress can be fashioned able to acknowledge the transnational nature of economic disparities while engaging the agency of those affected.

Again, Hegel would likely also acknowledge, as he does with regard to corporations in the domestic context, that a multilayered system must itself have recourse to some dimension of "higher supervision,"¹⁹ one that coordinates and regulates their interaction. Yet this expectation entails no appeal to the centralized world state repudiated by Hegel, Pogge, and others. Whatever might be said of an overarching legal-political structure at the national level, such a structure cannot be fashioned for the international domain, characterized precisely by multiple sites of legal-political sovereignty.²⁰ To the extent that Hegel would appeal to a higher authority, it is with reference not to a supranational governmental entity but to the idea of international law itself, understood first and foremost not in terms of formal administrative structures but of those shared norms and values that for Hegel undergird an account of valid law and are the real source of its power and authority.²¹ At issue is an ethos or culture of transnational justice—indeed, a global ethicality of right—wherein states and citizens, on the basis of common values forged and validated in historical processes of interaction, accept the principles of equal respect and other norms of cooperation while holding one another accountable for their violation. Thus, for instance, the *Universal Declaration of Human Rights* or the *Treaty of European Union* claim obligatory quality not in virtue of legal-political authorities able to enforce and compel obedience but because the principles it

articulates have over time been acknowledged and internalized as norms that govern their conduct and interaction.²²

Certainly this is not to say that, for Hegel, modes of external enforcement would be ignored. The prominent role he assigns in the *Philosophy of Right* to the administration of justice militates against that assumption. Thus, not unlike Pogge's proposal and those associated with claims made on behalf of the European Union, Hegel would likely assign some enforcement authority to existing state institutions, while other authority to regional and—given historical developments—even transnational bodies. The point, though, is that the legitimacy, motivation, and indeed the very nature of such action would derive from an underlying ethos that not only oversees such action but shapes it in ways directed to facilitating international cooperation and commonality. As is suggested by Hegel's own embedding of structures of administrative justice in a general account of ethicality, so too a multilayered legal-political scheme at the global level would relate back to a global political culture that infuses and concretizes the idea of international law itself.

The point here, however, is not to juxtapose an overarching legal culture to the differentiated legal-political global order. Precisely because international law on Hegel's account has effective validity only to the degree that its principles are acknowledged and willed by states and peoples, it itself must articulate the attitudes and dispositions of the parties it comprises. Indeed, a properly conceived multilayered scheme, infused with a commitment of individuals, states, and other units to the conditions of their consociation, is itself required for the reality of a system of *Völkerrecht*. Moreover, if global community depends on shared norms internalized by states and peoples, the myriad "intermediate" associations comprising a multilayered scheme can facilitate the relationship of universal and particular central to the creation and maintenance of global community itself. In the same way that Hegel claims that subpolitical domains are the "secret to patriotism" in the domestic sphere, so such domains can forge the mediation of local and global needed for a binding notion of international law. It may be that a multilayered scheme depends for its own stability on higher forms of oversight, but such oversight must, in turn, find acceptance in the diverse perspectives that first occasioned it. Here, too, global justice, even in engaging overarching principles, empowers localized conditions of agency.

II

In the preceding section, I have indicated how Hegel's account of recognition addresses issues of economic maldistribution at the global level. Appreciation of this dimension of his position is important not least in

light of recent tendencies to construe recognition and redistribution as opposed paradigms of social justice. It would be wrong, however, to assume that, for Hegel, issues of global justice are simply matters of economic (re)distribution; certainly it would be wrong to present recognition theory itself as simply a tool to address material forms of injustice. While for Hegel there is a material dimension to most forms of injustice, he also maintains—reflected in his account of the phenomenon of poverty in modern societies—that material inequalities must themselves be understood, perhaps preeminently, as forms of social disrespect and misrecognition.²³ Hegel presents no developed analysis of misrecognition at the global level. The parameters of a Hegelian position can be sketched, however, by reviewing his account of disrespect at the domestic societies and then restating them for international relations.

Hegel's account of social disrespect is advanced in the discussion of civil society found in the *Philosophy of Right*, especially in some of the lecture versions transcribed by students.²⁴ Central to modern civil society is the reality of poverty. Propelled by the profit motives of individual wealth maximizers, market societies give rise to boom-bust cycles, where overproduction inevitably leads, among other things, to layoffs and unemployment. As a result, modern market societies are disposed to produce a "penurious rabble" (*Pöbel*), a systemically generated underclass that, lacking in work and income, is in varying degrees "deprived of all the advantages of society, such as the ability to acquire skills and education in general, as well as the administration of justice, health care, and often even the consolation of religion."²⁵

Hegel attributes the emergence of a rabble to the phenomenon of material impoverishment, yet his chief focus is on poverty as a cultural phenomenon, one expressed in the *mentality* of those lacking respect, esteem, or "honor." Not only does unemployment deprive the poor of the sense of self-reliance central to the membership ethos of modern market societies; it inculcates in the poor awareness that they are without the public recognition central to a community predicated on socially valorized forms of individual performance and achievement. Marginalized by the society on which he depends for his psychological as well as physical well-being, the poor person "feels himself excluded and shunned by everyone,"²⁶ and indeed those with means do display a depreciatory attitude toward the poor. Not only does civil society, in forefronting exchange value, encourage the wealthy to treat others as commodities available for purchase;²⁷ the vast disparities in wealth (which only reinforce a lack of shared experience) cultivate among the rich a social insouciance that further discounts the worth and even the humanity of the poor. Hence, the poor person not only perceives himself as an object of social disrespect but, consonant with an intersubjective conception of selfhood, incorporates this sentiment into his

own self-perception, to the point that disdain becomes a feature of self-identity itself.

Hegel pointedly makes this argument with reference to a concept especially important to modern market societies, that of right. Much can be said about the modern concept of right; for present purposes, it is enough to note that market societies clarify, for Hegel, the meaning and scope of individual rights. Revolving around conditions of individual need satisfaction, modern societies give special place to “negative” rights, those enabling individuals to pursue interests free of outside interference. They also affirm “positive” rights, not just rights to subsistence but a right to life itself. Support for positive rights flows from a concept of right that—directed to the concrete existence of freedom—must attend to the material resources (e.g., health, education, housing, sustenance, and legal representation) individuals require to effectively pursue needs and interests. Support also flows from the exigencies of civil society itself, whose stability depends on the capacity of individuals to contribute, however indirectly, to the welfare of society as a whole.

Finally, modern market societies give rise to a general right of social membership—for Hegel, “the right to have rights.”²⁸ As a wide-ranging system of reciprocal interdependency, modern market societies represent a social order in which individuals are recognized, by others and themselves, just in their capacity as subjects possessing rights (and corresponding duties). In addition, the fact that members of civil society have rights in connection with the general welfare of society assigns to the possession of rights a wider civic dimension, one that underwrites participation in collective efforts to define and shape the conditions of shared existence, including those pertaining to the interpretation and application of rights themselves.

Yet if modern societies give rise to a social order based on a multifaceted account of individual rights, they contribute as well to a sense of rightlessness, a “feeling of disenfranchisement” (*Gefühl der Rechtlosigkeit*²⁹), on the part of the poor. Deprived of material resources and lacking access to means of subsistence, the poor certainly see threatened claims to positive rights, above all the right to life itself. Indeed, without access to the general resources of society, they have little purchase on a notion of right itself understood by Hegel as the concrete realization of the free will. Moreover, unable to meet basic needs of subsistence, they can make little use of negative rights, those enabling the unfettered pursuit of need satisfaction. Once the right to life itself is compromised, so, too, is the opportunity to pursue a livelihood free from outside interference. Deprived of material resources, the poor also regard themselves as deprived of membership rights in a society culturally defined by a collective commitment to the principle of economic self-reliance. And to the extent that they do regard themselves as politically disenfranchised,

they also see themselves as barred from exercising rights to participate in the collective shaping of social life, which in any event is not possible without the time, skills, and resources needed for effective participation in public fora.

Hegel is certainly not suggesting that the poor are wholly without rights; at issue is not an absolute deprivation. As members of civil society—"that immense power which draws people to itself and requires them to work for it"³⁰—the poor are entitled to the rights that are, in principle, held by all members of this social order. Indeed, the very concept of universal human rights first obtains general recognition, for Hegel, in modern market societies.³¹ Hegel's point is rather that the nature of modern poverty is such that the poor are not in fact recognized—by themselves or by others—as possessing the rights to which they are nonetheless entitled.³² The poor suffer from the "non-recognition of right."³³ Indeed, the rabble mentality specific to the modern poor consists in just the awareness of a "discrepancy"³⁴ between formally held and actually available rights. The rabble phenomenon lies in "the consciousness of rightlessness under the presupposition of right."³⁵ Rightlessness thus does not take the form of, say, statelessness;³⁶ the poor are not altogether bereft of membership in an organized community. Instead—and herein lies their specific sense of alienation—they are regarded, by themselves and others, as nonmembers of a society to which they nonetheless belong. The disenfranchisement of the poor consists in the fact that social membership itself takes the form of membership denied. For Hegel, the poor are generally recognized, by themselves and others, as second-class citizens.³⁷

In response to their disenfranchisement, the poor unsurprisingly develop an adversarial attitude—an "inner indignation" (*innere Empörung*)³⁸—vis-à-vis existing society. This attitude can take the form of anger and resentment directed against the wealthy. It can also take the form of a rejection of the values associated with bourgeois society itself, including work, industriousness, and achievement ethic itself—a rejection manifest in attitudes of insolence, indolence, irresponsibility, shamelessness, and general social ill-will or malevolence.³⁹

Yet, for Hegel, the most significant form of this societally induced indignation is enmity toward the system of right itself, which is perceived—its claims to fairness and universality notwithstanding—to be a parochial principle serving the interests only of some members of society. Right is deemed indistinguishable from might. What specifically triggers the indignation of the poor in this regard is the perception that their sense of disenfranchisement stems not from bad luck or from personal failing but from "a wrong" (*Unrecht*) inflicted on them by the social order itself.⁴⁰ Their suffering is a "feeling of suffered injustice."⁴¹ The sense of injustice experienced by the poor derives from

a consciousness that they are denied a range of benefits and opportunities supposedly made available to all by modern society, recognition itself included.

The indignation felt by the poor may manifestly remain restricted to subjective sentiment, but it can also take the form of a rebellion against the existing system of right itself. Made to feel rightless by the modern social order, the poor may “make themselves rightless,” placing themselves outside the law.⁴² As such, they feel entitled to disregard property laws to the degree that these conflict with subsistence needs and life itself. Yet unlike other situations that might warrant appeal to a “right of distress” (*Notrecht*), the injustices challenged here do not denote a particular or “momentary” occurrence but rather a systemic feature of the social order itself. Accordingly, the societal misrecognition experienced by the poor can assume—as a “form of right”⁴³ itself—the expression of a revolt against the organizational structure of society.⁴⁴

III

Hegel does not, in any systematic way, extend this analysis to the international domain. His own analysis focuses principally on antinomies specific to the internal structure of market societies. Still, his analysis does lend itself to more global application. Indeed, given that Hegel himself adumbrated a global version of a market-based system of needs, and given as well that he saw global commerce as itself a response to problems endemic to individual market societies, a transnational restatement of his account of civil society seems fully compatible with his social theory, itself presented as its own time apprehended in thought. Thus, as with the treatment of individual market societies, so, too, at the global level: a market-oriented economic system will gradually make all persons and peoples dependent on it for their existence and livelihood, yet in a way that also generates a range of pathologies, including unemployment, exploitation, and poverty.

Hegel would likely second the analysis of those who see global commerce, particularly with its increasing reliance on advanced-level information technology, as producing a “dual economy,” one that perpetuates and even exacerbates disparities between rich and poor nations.⁴⁵ In keeping with his analysis of modern civil societies, however, Hegel would direct his attention not principally to the material inequalities themselves but to the accompanying forms of psychological and cultural impoverishment. Here, too, his chief focus would be on the forms of disrespect and misrecognition that, on his view, are the most troubling by-products of market economies. Thus, a global extension of a market

economies, it merits notwithstanding, would tendentially create a unemployed, impoverished, and indigent rabble aware of its exclusion from a global economic order that, as in the domestic situation, expects and demands economic self-sufficiency.

In addition, a global economic society would cultivate a sense of disenfranchisement on the part of the poor, who see themselves deprived of access not only to subsistence rights but, given their circumstances, liberty and membership rights as well. Moreover, this sense of disenfranchisement would likely be exacerbated by further expansion in global commerce, whose dissemination of notions of abstract right only highlights discrepancies between promulgated ideals and existing realities. Furthermore, Hegel, in response to such developments, would likely anticipate the emergence globally of the forms of the rebelliousness he associates generally with the rabble phenomenon. Such rebelliousness might take the form of a rejection of the principles of work and industriousness; it might take the form of a challenge to existing norms of right and justice, which norms—claims to universality notwithstanding—are perceived as parochial values meant to justify existing power relations; or it may take the form of a willingness to contest the global order itself.

How might Hegel respond to forms of misrecognition resulting from globalization? Part of the response would involve the redistributive measures noted earlier. Another might call for fostering indigenous notions of cultural identity—for cultivating traditions and practices that could extirpate the deprecatory self-images resulting from colonial, post-colonial, and neo-colonial domination. An approach of this sort has been advocated by Charles Taylor, whose “politics of recognition” invokes the concept of recognitive struggle first formulated by Hegel.⁴⁶ And this is a view with which Hegel has sympathy. Not only does his notion of recognition encompass groups as well as individuals; not only does he claim that communities flourish through processes of cultural self-interpretation; he also asserts, evidenced in his account of corporations, that individuals suffering from misrecognition may regain a sense of self-worth via membership in cultural communities that value individuals in terms of a specific sense of self-identity.⁴⁷

In addition, Hegel’s conception of freedom (freedom “in and for itself”) lends support to the view that a subordinate community (re) establishes a sense of identity in purging itself of negative self-conceptions resulting from its subordination and comes to see itself and the conditions of its existence as products of its own self-expression. That formerly subordinate communities can so liberate themselves is suggested by Hegel’s account of the master/slave relation itself, which details how bondage may “turn into the opposite of what it immediately is . . . and be transformed into a truly independent consciousness.”⁴⁸

This view is also implicit in his observation that the American colonies have the potential “to abandon the ground on which world history has hitherto been enacted.”⁴⁹ Alternatively, one might even say, appealing to claims Hegel made on behalf of passion over against imposed norms of justice and morality,⁵⁰ that forms of self-empowerment emanating from subaltern social subjects are a motor force of Hegelian history itself.⁵¹

Much can be said of this approach,⁵² which also finds expression in postcolonial appropriations of Hegelian thought.⁵³ Notable in this regard is Frantz Fanon, specifically invoked by Taylor.⁵⁴ From the perspective of Hegel’s considered position, however, appeal to notion of self-determination based on a culturally distinctive sense of collective identity is not obviously an option. Hegel’s general critique of forms of immediacy would preclude appeal to an originary notion of identity, just as it would also dismiss a notion of self-identity purged of all vestiges of external domination. In addition, the reality of global interdependencies is such to render unsustainable, in Hegel’s day as in our own, any endogenously autonomous sense of cultural identity. Indeed, the neo-Nietzschean form of self-affirmation evident in Fanon⁵⁵ and other post-colonial theorists is, on Hegel’s intersubjective account of identity formation, not fully intelligible. Nor is one desirable. A people achieves and maintains autonomy only when it is recognized by another as autonomous and when it can so recognize itself in the other’s recognition. “Esteem . . . comes from mediation.”⁵⁶ Individual cultural self-determination requires engagement with, and further integration into, a wider community.

There is no doubt something troubling in this suggestion. It is, after all, entwinement in a global order that is itself the source of the maladies needing correction. Yet however intractable the problems may be, they are not, on a Hegelian account, necessarily irresolvable; they are not irredeemably tragic. Just as subordinate communities may depend for their own self-recognition on relations of achieved reciprocity with the dominant, so the dominant on the former. In an increasingly interconnected world, even a dominant culture itself must recognize its dependence on others, and in the sense that its own autonomy is intertwined not just with the welfare of the other but the other’s freely given recognition of it.⁵⁷ For Hegel, a dominant culture has an interest not just in recognizing the other but in contributing to conditions supportive of the other’s autonomy. While there may be something disturbing in expecting a subordinate culture to affirm itself through structures that have contributed to its subordination, it is also true, for Hegel, that its very involvement in a system of global interconnection affirms relations of codependency that can lead, however gradually and even fitfully, to more developed relations of mutuality.

To be sure, Hegel also claims that demands for recognition themselves result in conflicts and struggles.⁵⁸ Warfare does represent a central component in his account of international relations. Common assumptions notwithstanding, however, warfare itself is not the central component. Instead, warfare and struggle generally, at least for “developed” cultures distinguished by some measure of collective identity, must be viewed against the backdrop of what are more basic cooperative commitments. Not only does bellicosity entail, however rudimentarily, forms of recognition; the fact that conflicts are initiated in part to redress experiences of denied recognition ensures that they will represent limited or “transitory” phenomena, subordinate to more basic mechanisms directed to fostering relations of cooperation. Invoking elements of just war theory, Hegel asserts that war is to be conducted in a way that “preserves the possibility of peace.”⁵⁹ War itself remains a “determination of *Völkerrecht*,” one that mandates identification and censure of war crimes. What Hegel said of the experience of disenfranchised persons in modern societies applies as well to the transnational relationship of peoples: “Even in a state of general rightlessness right retains its validity.”⁶⁰

Hegel's point, however, is not simply that cognitive conflicts are played out against the backdrop of norms regulating, however implicitly, the sociation of peoples and cultures. It is also that interactions across differences facilitate formation of a shared notion of identity, even a common global political culture. Mutual recognition denotes a process in which one subject not only recognizes itself in the other but incorporates into its own self-understanding the other's understanding of it. Moreover, a self-transformation experienced in one subject's self-conception triggered by the recognition of another itself triggers a corresponding transformation in the self-conception of that other. Relations of recognition thereby contribute to processes of mutual adjustment and adaptation that in turn set in motion a convergence dynamic tendentially forging a set of shared norms and values. The interaction of individual national self-consciousness contributes to a “trend . . . towards unity”⁶¹ culminating *a limine* in a “universal identity,”⁶² even a “universal self-consciousness.” What Hegel said of persons applies to peoples as well: the “I” tendentially becomes a “We.”⁶³ He makes the point explicitly with regard to his own world, noting how “the European nations” have come to “form a family with respect to the universal principles of their legislation, customs, and culture.”⁶⁴ Yet the point has global applicability as well, reflected in the process whereby the “dialectic” of individual *Volksgeistern* facilitates emergence of a common *Weltgeist*.

Certainly, this convergence process does not result in a homogeneous uniformity, one that suppresses individual identity. A global culture of Hegelian provenance entails a differentiated account of the relationship of universal and particular, one appropriate to accommodating forms

of identity derogated in processes of global exchange. Indeed, the idea of a truly global unity is only intelligible with reference to the various and varied experiences of the world's peoples and cultures. A fully comprehensive commonality—one that is “self-apprehending”⁶⁵—exists not only for external reflection but for the participants themselves, and so is realized when individuals see themselves reflected in the whole and see the whole itself as reflecting their own circumstances.

But if in a differentiated account of parts and whole, a global unity must accommodate expressions of local identity, those expressions are still properly validated only via wider bonds of commonality. According to a logic of recognition, a people can fashion a sense of itself *as* distinctive only with reference to others—others also prepared to recognize their distinctiveness. Moreover, such recognition is properly achieved with reference not just to *some* peoples and cultures but ideally to the community of peoples generally, the totality of the “others” that serve as a resource for individual identity.⁶⁶ It is via the *Weltgeist* that “every people . . . attains its proper self-affirmation.”⁶⁷ For Hegel, a global politics of recognition does consist in affirming the particular worth and self-worth of peoples and cultures devalued in processes of global interchange. On this view, however, such a politics is implemented not by affirming per se indigenous forms of identity, but in fashioning a global political culture committed to a variegated and wide-ranging network of intercultural structures, practices, and affiliations.

IV

Hegel's conception of an account of intercultural globality may be further appreciated by considering the normative underpinnings of his law of peoples. Like Kant,⁶⁸ Hegel claims that a law of peoples is governed by the concept of right, one regulating the reciprocal recognition of peoples and cultures. With Kant as well, Hegel holds that this concept of right, deemed “valid in and for itself,”⁶⁹ possesses universal standing and applicability. In this respect, Hegel follows Kant in assigning a cosmopolitan dimension to a law of peoples, even while eschewing cosmopolitan law itself.

What distinguishes Hegel's law of peoples, and where he differs from Kant, is not in a commitment to cosmopolitan norms, but in the conviction that they are not construable as moral postulates or *a priori* principles contraposed to the life-forms and self-conceptions of individual cultures. On his view, the principle of right informing his law of peoples is generated and clarified in the interactions of peoples themselves. It is in the “dialectic” of individual *Volksgeistern* that shared norms of sociation—encapsulated in the idea of *Weltgeist*—are forged. In *The*

Claims of Culture, Seyla Benhabib speaks of a “historically enlightened universalism,” one rooted in “a generalized attitude of moral equality [that] spreads in human history through conversations across cultures, and through commerce as well as wars; international agreements as well as international threats contribute to its emergence.”⁷⁰ While Hegel focuses on right rather than equality, his law of peoples likewise flows from and ratifies a historically enlightened principle of sociation—he calls it an “inner universality”⁷¹—that emerges in actual relations of recognitive interaction even as it further concretizes them. For Hegel, the world’s court of judgment⁷² is world history itself, the “absolute” principle of right.⁷³ He may eschew Kant’s notion of *Weltbürgerrecht*, but only because he discerns norms of transnational justice in *Völkerrecht* itself.

The distinctiveness of Hegel’s cosmopolitanism is reflected in its rejection of any facile distinction between deontological and teleological approaches to normativity.⁷⁴ Indeed, for him, the two approaches are codependent and mutually reinforcing. While a law of peoples does attend to conditions for the cultural self-realization of individual peoples, it does not do so in a way inattentive to general principles of right and justice. On Hegel’s intersubjective account of self-identity, a people fully realizes its own identity only in achieving the uncoerced recognition of another, and this requires that it is prepared to recognize the other as a bearer of rights, as an agent possessing inherent value. Rephrasing in recognition-theoretic terms what Hegel famously presents as the “commandment of right” (“be a person and respect others as persons”⁷⁵), one can be a person oneself only if one also recognizes others as persons.⁷⁶ And what obtains for persons holds for peoples as well. A law of peoples is committed *inter alia* to the cultural self-realization of individual *Volksgeistern*, but such self-realization depends on the willingness of one culture to recognize the other, which itself involves acknowledgment not only of the dignity and autonomy of the other culture, but *a limine* the principles of dignity and autonomy themselves. One culture realizes itself in affirming, individually and in general, the rights of others.

Just as Hegel refuses to contrapose teleological to deontological consideration, so, too, he presents deontological considerations as dependent on the teleological—a point reflected as well in his conception of right. Right, for Hegel, is a concept that denotes processes and structures of mutual respect and reciprocal forbearance. It is “the relationship of persons in their comportment with one another.”⁷⁷ As such, right is not simply a norm that governs human sociation; it also the mode and expression of sociation itself—indeed, “the relationship of recognition” itself. Recognition, however, is simply the process by which persons and peoples alike form their identities. Thus, to the extent that right articulates relations of recognition, it articulates processes of self-realization

as well. If assertion of what is desirable for an individual community depends on a general notion of right, so, too, right itself depends on what is desirable.

This, to be sure, is not to suggest that norms of justice are wholly a *product* of processes of recognition. This is precluded on grounds that the very process of recognition depends, however implicitly, on a prior commitment to normative principles. Yet if a *concept* of right is thus articulated distinctly from actual processes of sociation, right itself—qua concept valid *in and for itself*—attains its complete affirmation, its status as an *idea*, only on assuming concrete embodiment in actual social relations. Right is properly realized only when it acquires authoritative meaning and force for individuals in their actual forms of sociation. Thus, for one thing, right depends for its validity on embodiment in specific institutional structures, a system of law in particular. But it also depends on actual processes of recognition, those in which individuals acknowledge both their reciprocal claims on one another other and the centrality of the principle of recognition itself. Hegel makes the point when detailing the concept of realized freedom, itself articulation of a notion of right defined as “the existence of the free will.” Under conditions of its realization, freedom acquires “the form of necessity, whose substantial connections constitute the system of freedom’s conditions, and whose phenomenal connections constitutes freedom’s power, its being recognized (*Anerkanntsein*), its validity in consciousness.”⁷⁸

Nor is actualized recognition relevant only for specific legal communities. It forms the basis of *Völkerrecht* itself. Here, too, right is both validated and empowered only in forms of interaction where communities recognize their claims on each other as well as the value of recognitive relations themselves. The principle of right for *Völkerrecht* is “the presupposed recognition of the several states” (*vorausgesetzte Anerkanntsein der Staaten*).⁷⁹ Because here, too, recognitive relations articulate processes of cultural self-realization, the norms of justice governing a *Völkerrecht* are, for Hegel, inextricably intertwined with the self-cultivation practices of individual peoples. He does maintain that forms of social recognition as well the processes on cultural identity formation are subject to general normative principles, yet these principles themselves are validated and concretized only in and through recognitive relations themselves. In a logic of recognition, assertion of deontological principles proceeds isomorphically with teleological processes of self-realization.

V

One consequence of this approach is that it reaffirms Hegel’s understanding of the historicity of right. To say that *Völkerrecht* is rooted in

conditions of cultural self-development is to say as well that right is not an *a priori* principle of reason but one itself forged in historical processes of peoples constituting and reconstituting their identity.⁸⁰ Yet acknowledgment of such historicity raises the question of whether a norm so articulated can indeed claim universal status. The question seems especially apposite as regards Hegel. While he does see right as expressing a conception of freedom that possesses universal validity and application, actualized right itself is, for him, largely a product of the Western cultural tradition. Not only does he claim that the concept of subjective right—committed to the infinite dignity of the individual—first emerged with Christianity; not only does he claim that that concept found concrete realization in the constitutional structures of modern Western societies; he claims as well that public acknowledgment of right as a human entitlement—and such acknowledgment is part of its validated reality—is a distinctive feature of the cultural life of modern societies.

Moreover, to the extent that Hegel does accord right universal significance, he does so, it seems, less because he deems it to possess genuinely universal status than because it reflects the hegemonic extension of Western values to non-Western contexts. The universality of the principle of right is linked to the expansion of Western modern market societies, which, in creating markets beyond their own borders, refashioned indigenous valorizations of human worth in terms of market-based notions of quantitative equality. Nor is Hegel apologetic about such expansionism. Consonant with his early admiration for Napoleon's *mission civilisatrice*,⁸¹ he regards the extension of market-based norms of socialization as part of the meritorious dissemination of the principle of abstract right, a principle that, for him, undergirds not only subjective freedom but a self-reflexive notion of common identity based on the differentiated mediation of public and private autonomy.

Hegel is well aware of the pathological dimensions of any extension of subjective freedom. As is clear from his general account of civil society, such extension is accompanied by an instrumentalism that undermines not only ethical commonality but right itself. For Hegel, however, any critique of the pathologies generated by the hegemonic expansion of Western norms would also engage those norms. A challenge to the "rightlessness" caused by market economies would still invoke the category of right itself. A challenge to Western hegemony would itself invoke the principles of freedom, autonomy, and cohesive self-identity that Hegel associates with Western modernity. True, a critique of Western hegemony would, on Hegelian grounds, likely have recourse to a robust rendering of mutual recognition. Yet, for Hegel, the concept of recognition, intertwined with notions of autonomy and self-identity, itself reaffirms Western categories. There are theorists today, post-colonialist included, who claim that the principles of Western rationality are now globally inescapable.⁸² Hegel

would likely say the same, and not just from a sociological perspective but a normative one as well.

That there is a decidedly Western dimension to a Hegelian account of universal norms is not to say, however, that the notion of right cannot also be relevant in a globally inclusive manner. Even if the norms to which Hegel might attach universal status—say, freedom, autonomy, and right—are of Western provenance, their meaning and validity are linked to processes of application propelling them beyond any parochially Western construal.⁸³ For Hegel, practical norms, those of rights included, are always linked to the conditions of their specific application. In line with the idea of a concrete universal, norms have meaning for a community only to the degree that they express relevant forms of life-practice. They claim binding status only as they express “the customs and consciousness of the individuals” belonging to a particular culture.⁸⁴ Given that local circumstances can vary radically, so, too, will the forms according to which norms assume local expression. Hegel made this point when noting the degree to which the specific meaning of property and welfare rights varies significantly among European cultures and community. At least as much variety can be expected as regards their articulation in non-Western contexts.

The notion that principles of right require local contextualization is certainly not unique to Hegel. What makes Hegel’s position distinctive, however, is the contention that such contextualization affirms conditions for local self-determination. For Hegel, a contextualized norm, especially a norm of freedom, itself possesses meaning and validity only to the degree that it is assumed and embraced by community members able to perceive it as their own. A norm of conduct obtains its normative status in being “generally recognized, known, and willed.”⁸⁵ As he wrote already in a 1795 letter to Schelling, it is not enough that people claim rights; they must themselves “appropriate” them (*sich aneignen*).⁸⁶ A legitimate doctrine of human rights thus cannot be regarded as exogenous imposition on a culture, be it from Western or other sources. To the extent that such a doctrine claims validity at all for a culture, it must express and attest to local conditions for self-determination; to the extent that it does not, its normative status is deficient.

The point here is not that the discourse of rights devolves into a pluralist affirmation of diverse accounts of the nature of right. Such affirmation is precluded by the very idea of *Völkerrecht*, rooted in the shared norms governing interaction of the world’s peoples. It is precluded as well by the nature of the process through a particular culture clarifies its normative principles. Given that any local iteration depends on processes of cultural self-interpretation that, with an intersubjective conception of self, are themselves incomplete without acknowledgment of the self-conceptions of other communities, one culture’s conception of

right, especially in a world characterized by increasing interconnectivity, is incomplete without acknowledging, and incorporating appreciation of, conceptions of justice specific to other cultural communities. Affirmation of a contextualized account of right is also affirmation of alternate conceptions.

Hegel's normative cosmopolitanism thus may be seen as a form of interculturalism, one reflective of his general notion of a concrete universal. On the one hand, Hegel is committed to context-transcending principles of right and justice. On the other hand, these principles are not conceived as abstract norms exogenously imposed on particular cultures and communities. Instead, Hegel's universal conception of right is understood as a collective achievement resulting from the interactions of world's peoples, whose involvement in the interactive process is motivated and shaped by their diverse values, traditions, and self-conceptions. Cosmopolitan right here must be understood as the product of an *overlapping consensus*—one not hypothetically constructed, however, but constituted and reconstituted in *real* processes of consensus formation, themselves rooted in ongoing processes of reciprocal recognition.

Appreciation of the recognitive component of a Hegelian account of normativity is important as it reflects the unique way his cosmopolitanism combines internal and external perspectives.⁸⁷ Although Hegel's position does revolve around recognition of another culture's internal self-understanding, that recognition entails no uncritical endorsement of the latter self-understanding. Against more strictly multicultural approaches,⁸⁸ he maintains that any object of recognition must be deemed "worthy" of recognition by the recognizing culture.⁸⁹ Precisely because recognition is tied to processes of reciprocity, the recognizing culture must be able to find itself in the other. To the extent that such recognition is not possible, the practices of another culture may be deemed deficient and subject to possible censure. Indeed, Hegel even allows for the possibility of some form of outside intervention.⁹⁰ "Other states cannot be indifferent to [the] internal affairs" of another.⁹¹

At the same time, however, such external criticality entails no championing of one culture's values over those of another. Disallowed would be any one-sided challenge to non-Western societies from the perspective of norms commonly associated with the West. A strictly external perspective is precluded by the recognitive process itself. If one culture is to find itself in the culture of another, it must also be prepared to appreciate the otherness of the other, the other's understanding of itself. Yet such appreciation requires not only that it accept, in some measure, the autonomy of the other but that it be prepared to scrutinize and, as necessary, adjust its own values and assumptions, including those that might impede such appreciation. An "external" assessment of the worth

of another culture must be accompanied by receptivity to the possible intrinsic worth of the latter.

This, to be sure, entails no simple endorsement of the intrinsic value of the latter culture. Aside from undermining the program of external critique, this misconstrues the concept of intrinsic worth itself. Bound up with a culture's intrinsic worth is its self-worth, yet such self-estimation, on the intersubjective account, is achievable only to the degree that a culture is recognized by another. Proper to such recognition, however, is willingness on its part not just to acknowledge the other's self-understanding but to adjust assumptions and preconceptions that might impede such acknowledgment. In adopting an external perspective on another culture, one culture must also evince openness to the latter's perspective on itself, which in turn requires an openness on the latter's part to perspectives other than itself.

Hegel's conception of cross-cultural evaluation is thus a highly mediated one, involving the complex and wide-ranging entwinement of external and internal considerations. It is also one that attests to his general notion of an intercultural cosmopolitanism. While his *Völkerrecht* does rest on transnational norms of right and justice, these are not simply asserted or presupposed. They are forged and validated in the ongoing interaction of the world's peoples. It is in the activity of cultures reciprocally adjusting and adapting their self-understandings in processes of recognitively necessitated exchange that a global consensus on shared norms is shaped and shaped anew.

None of this denies that a consensus may still express or reinforce the hegemony of a particular people or culture.⁹² Yet, for Hegel, what might count as a normative consensus cannot be fixed definitively. This is barred by the endless variety of circumstances to which norms are interpretively applied and reapplied. It is barred as well by the fact that processes of application are dependent on forms of cultural self-interpretation that continuously engage the self-interpretations of other cultures, which themselves are continuously shaped and reshaped through engagement with yet other perspectives. In line with a concept of *Weltgeist* understood as spirit's "unending struggle with itself,"⁹³ Hegel sees global culture as a site of ongoing, multifaceted contestation about the meaning and application of shared norms, above all, those pertaining to right, whose "supreme" form is articulated by world history itself.⁹⁴ Even if a globally shared consensus on norms—a universal self-consciousness, as it were—could be specified, it would still require, for its own identity, reference to forms of self-identity other than itself, those expressed, say, by future generations. What Hegel said of the reflexive self-identity of individual cultures pertains as well to a possible global self-identity—"the completion of an act of comprehension is at the same time its alienation and transition."⁹⁵

Nor does this lack of closure undermine the universality of a global account of principles of right and justice. For Hegel, a genuine universal, based on a notion of “spirit” that mediates substance and subjectivity, is one that, far from opposing particular practices and forms of self-identity, must be expressed in and appropriated by them. Given that such particularities themselves undergo regular revision and rejuvenation, so, too, does the concept of universality they instantiate. A world spirit is indeed spirit’s ongoing “interpretation of *itself* to *itself*.”⁹⁶ In “Universality in Culture,” Judith Butler writes: “If the standards of universality are historically articulated, then it would seem that exposing the parochial and exclusionary character of a given historical articulation of universality is part of the project of extending and rendering substantive the notion of universality itself.”⁹⁷ The view is reflected in a Hegelian account of universality, for which—consonant with the higher-level recognitive struggles appropriate to achieved forms of mutuality⁹⁸—commonality is fashioned and sustained in the oppositions themselves. For Hegel, the very notion of a universal consensus on norms militates against its reification.

VI

In this chapter, I have sought to detail the relevance of Hegelian philosophy, and Hegel’s doctrine of recognition, in particular, for matters of global justice. I have defended the following five claims. First, on Hegel’s culturally conceived account of a law of peoples, international relations must be understood not just as an arena for conflict among strategically motivated parties but as a domain of intercultural interaction governed by a robust concept of mutual recognition. Second, governed by this logic of recognition, Hegel’s law of peoples affirms, in a manner sensitive to conditions for local self-determination, principles of global justice committed to practices of economic redistribution. Third, the law of peoples supports a notion of global justice focused equally on matters of cultural misrecognition, with the aim, however, not of endorsing indigenous notions of cultural identity but establishing a global political culture shaped and sustained by ongoing processes of reciprocal recognition. Fourth, this conception of global political culture rests on a cosmopolitan conception of justice, but one that adverts—in line with a rejection of “undialectical” accounts of the relationship of deontological and teleological notions of normativity—not to predefined principles of rationality but to those generated and validated in the interaction of the world’s peoples. Fifth, while Hegel’s own account of transnational justice may betray a partiality for Western principles of rationality, his position is structurally committed to an inclusiveness, open-endedness, and critical

self-reflexivity that militate against its domination by any one culture or set of values.

Questions can be certainly raised about this account of global justice. One can question its very focus on *peoples*, whether a sense of self-identity or cultural self-consciousness is even ascribable to peoples, and whether a logic of recognition fashioned for the sociation of persons can be extended to that of peoples. And while Hegel may do well to reject any strictly dichotomous account of the relationship of recognition and redistribution, one can still ask if he has sufficiently clarified the distinctiveness of a logic of recognition. Consideration of these and other questions exceeds the scope of this chapter. I do hope to have shown, however, that Hegel's social-political theory—assumptions to the contrary notwithstanding—is not only able to address matters of global justice but to do so in a manner that, owing to its reliance on a logic of recognition, is both unique and capable of contributing to current discussions.

12 Is Hegel's Philosophy of History Eurocentric?

Of the many criticisms leveled against Hegel, one of the most persistent and least contested concerns his purported Eurocentrism.¹ This criticism is directed with special force at his theory of history. Not only does Hegel's philosophy of world history have as its principal subject matter events and developments largely specific to European social, political, cultural, and religious traditions, but world history itself is presented as a teleological process culminating in an affirmation and even apotheosis of European or, as Hegel says, Christian-Germanic societies. True, Hegel does include in his account of world history the cultures of non-Western societies. He is said to do so, however, not because he is committed to a genuinely inclusive account of world history but only because such cultures are viewed as germinally possessing traits that find realized expression in the cultures of modern Western societies. In the words of one critic: Hegel "goes so far as to think of every culture as a means in the furtherance of the ultimate goal that, of course, is, for Hegel, the European-Christian culture."²

In this chapter, I shall not dispute the presence of a centrally Western or even Eurocentric focus to Hegel's conception of history. Nor do I deny that his writings on history may exhibit a certain Eurochauvinism and what has been called "a certain prejudice against non-European cultures."³ What I do challenge is the assumption that Hegel's idea or "logic" of world history is itself Eurocentric, at least in the pejorative sense commonly associated with that term.

My argument revolves around the following six theses: (1) while Hegel does fashion a developmental account of world history, he does so not through an objectivist depiction of actual historical phenomena but through a normative reconstruction that challenges such depictions, including those that might assign special status to the empirical development of the West; (2) while Hegel's account of history does make systematic reference to existing empirical realities, it does so not because it abandons a normative focus but because normative reconstruction itself takes the form of reality's self-reconstruction; (3) while Hegel's account of history does assign priority to Western cultural and political arrangements, it does so in a way that also challenges one-sided views of European modernity, while also fostering an

openness to other cultures; (4) while Hegel's approach to history articulates a singular logic of development, that logic not only accommodates but even requires plurality in accounts of history itself; (5) Hegel's normative account of history includes a moral-practical dimension designed to cultivate in his contemporaries commitment to the practical realization of freedom in the world; and (6) appreciation of the moral-practical component of Hegel's account of history supports not only alternate accounts of historical development but a form of civic engagement committed to interculturalism and to a notion of globality more inclusive than that associated with Eurocentric positions.

I

Conventional understandings notwithstanding, Hegel's philosophy of history proffers no objectivist assertions about the empirical course of historical events.⁴ It does not make philosophical claims about existing historical phenomena, depict lawlike regularities in the historical process, or trace indwelling patterns of development. None of these efforts, central though each may be to traditional theorizing about history, are features of Hegel's "philosophical history of the world."⁵ Indeed, to the extent that Hegel does express himself on the actual course of historical events, he does so reluctantly⁶ and with skepticism. Far from exhibiting any overarching unity or purpose, history as conventionally apprehended is more accurately characterized as the haphazard and pointless succession of individual cultures.

Hegel, of course, does advance a developmental account of world history, yet he does so not in depicting some preexisting order of things but in *rationality reconstructing* empirically received phenomena.⁷ While proceeding from data obtained historiographically (we "take history as it is"⁸), a philosophical account of world history nonetheless restates what might otherwise seem without meaning so that it may be construed as a process expressing as a developmental purpose. Adverting to the "simple idea of reason," the philosophical approach refashions empirical phenomena so as to vindicate the supposition "that reason governs the world, and that world history is therefore a rational process."⁹ As he also writes, if not unambiguously: "Whoever looks at the world rationally will find that it in turn assumes a rational aspect."¹⁰

That Hegel's philosophy of history may take the form of a philosophical reconstruction is certainly no evidence that it is not also an account of a logic inherent in existing historical phenomena. Thinkers such as Marx¹¹ and Habermas¹² have employed reconstructive tools just to expose an underlying logic inaccessible to conventional analysis. For Hegel, however, rational reconstruction has a different function. In keeping with his idealist ontology, reconstruction serves to constitute reality itself. Consonant with the general method of the *Realphilosophie*, its task is to rework what is

obtained empirically in terms of conceptual categories, and thereby generate the actuality of the object themselves. Rational reconstruction operates not by revealing an order beneath the welter of historical phenomena, but by constituting world history in its genuine nature or "true being." Philosophical history, Hegel writes, is at once the narrative account of history and history itself, the *res gestas* and the *rerum gestarum*. The "object" of *philosophical* world history is "not general reflections about history . . . but world history itself."¹³

For many, it is precisely this idealism that reveals the problematic nature of Hegel's account of history. Apart from exemplifying the speculative hypostatizations first ridiculed by left-Hegelians, it appears to bolster the view that Hegelian historiography is part of a self-serving metaphysics employed to fashion modern European or "Christian-Germanic" culture as the triumphant culmination of global development. Yet again this view misconstrues Hegel's position. Though the philosophy of history, like the *Realphilosophie* in general, is part of a reconstructive ontology, that ontology has a decidedly evaluative function. Indeed, it can be called a "normative ontology,"¹⁴ an account of reality that is critical while also devoid of the abstract moralizing anathema to Hegel. Hegel himself speaks of its "transfigurative" nature: "Philosophy . . . transfigures reality, which appears to be unjust, into the rational, showing it as something . . . with which reason can be satisfied."¹⁵ The task of a reconstructive ontology of history is not to present a purified endorsement of existing conditions but to proffer a transfigured account committed to demonstrating concretely what is deficient in existing reality and how the latter might appear when purged of its adventitious attributes.

II

To be sure, Hegel does not fashion philosophical history as a normative ideal abstractly juxtaposed to the empirical course of events. Any such juxtaposition of reason and reality is alien to a thinker whose central aim is to surmount just such oppositions. It is also foreign to the idea of philosophical historiography itself. While Hegel does claim that the philosophical historian proceeds from the assumption that history is rational, this assumption is merely a "hypothesis" or "presupposition" that must be validated in explicating the subject matter itself. If the philosophical historian proceeds from the "simple idea" that reason rules the world, this is an idea whose "proof is to be found in the study of world history itself."¹⁶

Still, the fact that philosophical world history is intertwined with the actual course of events does not detract from its reconstructive or "transfigurative" character. On the contrary, in linking the validity of his account to a historical process, Hegel only underscores the reconstructive nature of the undertaking. What characterizes a philosophical study of world history

is precisely the process by which historical reality subjects *itself* to normative reconstruction. If Hegel's normative ontology seeks to establish the "true being" of an entity, that is achieved not simply in conjoining existence and concept but—in line with his equation of truth with spirit—in the process by which an existing substance becomes subject for itself. The point is central to Hegel's account of philosophical history as a history of the realization of freedom—"the progress in the consciousness of freedom."¹⁷

Hegel's determination to construe philosophical history as a history of freedom flows from his intention to view history rationally, for reason here connotes just that which is self-determining, that is, that able to account for its own foundations. Accordingly, the task of a normative account of world history is to assess empirical history from the standpoint of its capacity to realize the principle of freedom. This means that a rational approach to history views received developments from the perspective of their capacity to contribute to a societal order ideally characterized by, *inter alia*, commitment to individual rights and liberties, republican political institutions, and a citizenry that reflexively identifies with its political institutions and exhibits the civic virtue needed to sustain them.¹⁸

At the same time, however, a history of freedom cannot be understood merely as a normative undertaking, a philosophical statement of what might or should count as such a history. If nothing else, this approach contravenes the idea of freedom itself. Understood as selfhood in otherness, freedom, for Hegel, cannot abide dichotomy, be it between thought and being, subject and object, or reason and reality. To assert the claims of freedom against received historical phenomena is also to explicate the conditions for their realization in externally existent reality. Yet a history of the concrete realization of freedom itself cannot be presented as a mere *theoretical* construct; it cannot be a third-person account that has reality just for an external observer, one valid only "in itself." If a history of freedom is validated in reality itself, it must attain reality for the agents that comprise social historical reality. It must demonstrate how what is free "in itself" or "for us" can also be so regarded on a first-person basis as well, that is, for the subject matter itself. In short, freedom is realized only to the degree individuals know and understand themselves as free. Realized freedom must take the form of the "self-consciousness of freedom."

Yet on Hegel's view of freedom (also understood as selfhood in otherness) individuals know themselves as free only to the degree that they perceive themselves in the external circumstances that conditions their existence. This means first that persons and peoples are free only to the conditions of their social life and are knowingly expressive of a sense of self, a *Selbstgefühl*. But it also means that those conditions, to the extent that they do not or do not any longer express that sense of self-recognition, must be reshaped and rearticulated to do so more effectively, just as self-conceptions may themselves have to be reshaped to accommodate more effectively external realities. Indeed, history itself is just this process in

which social reality is “transformed and reconstructed” (*umgebildet und rekonstruiert*)¹⁹ to better express a notion of freedom understood *a limine* as the self-consciousness of freedom. Moreover, because history is a history of freedom in which developments must be enacted by the peoples and cultures that comprise history, the process transformation and reconstruction is also one of self-transformation and self-reconstruction.²⁰ The progress in the consciousness of freedom denoted for Hegel by world history is a process of cultural “renewal” (*Verjüngung*) expressed in the process of social reality “reworking itself” (*Verarbeitung seiner selbst*).²¹

Thus, while Hegel does regard philosophical history as a normative undertaking, it is not one in which norms are abstractly contraposed to empirical reality. Such an approach would be at variance with the idea of a history of freedom itself, which, focused on the conjunction of concept and existence, charts the concrete development and realization of freedom as an empirical reality. Yet the fact that history possesses an empirical dimension, the fact that it must take the form of a “phenomenological” account of freedom’s realization, is not also to say that it is not a reconstructive undertaking.²² In keeping with the account of phenomenological experience he fashions in the *Phenomenology of Spirit* (whose notion of “conceptual history” strikingly anticipates the concept of philosophical history presented here), Hegel’s point rather is that the empirical account of historical development is also one in which reality reshapes itself from the perspective of freedom and rationality, and indeed as a process that it enacts its own autonomy. Here, in particular, the empirical course of events is one with its comprehending (and self-comprehending) narration. Hegel’s account of history eschews external reflection, not however because he rejects reflective judgment, but because history is itself a process of reflection—it is indeed “the movement which reflects itself into itself.”²³ He may abandon an abstractly normative approach to history for one charting freedom’s actual self-development, not however because he rejects normative reconstruction, but because a genuine history of freedom requires that reality subject itself to normative reconstruction.

III

Critics of Hegel will likely find little compelling in these observations. Even if his history remains a reconstructive undertaking, this would presumably count for little if reconstruction itself serves to champion European cultural and political arrangements. Indeed, philosophical history presented as normative reconstruction may be even more objectionable than its descriptive-explanatory counterparts. It is one thing to make assertions about world history based on contestable empirical claims about the preeminence of Western practices and institutions; it is another to advance an account of history that recasts empirical reality in a way that presents Western culture as the

very culmination of world history, one that serves as a normative standard against which others are judged and to which they are expected aspire.

In fact, Hegel's philosophical history does ascribe a certain priority to European cultural and political arrangements. It does so, moreover, not just as a part of philosophy that, understood as its own time apprehended in thought, attends first and foremost to the parameters of its own cultural circumstances. Hegel also ascribes *normative* significance to Europe, and European modernity especially, which, for him, instantiates the highest expression of the human spirit—the notion of freedom understood as *bei sich Selbst sein*. The account is, of course, familiar.

The concept of freedom emerged politically with the Greek city-state and culturally with Christianity. It found generally realized cultural expression with modern Christianity, Protestantism in particular. And it found political realization with modern constitutional polities, committed equally to the right of subjective freedom, political autonomy, republican liberty, and the general idea that political institutions must conform to standards of rational justification. Nor is the European contribution to the realization of freedom just a moral-political matter. The idea of rational justification itself—the autonomy of reason—is just the theoretical expression of a notion of freedom whose articulation is of Western provenance. For Hegel, European modernity certified a notion of rational legitimacy according to which what heretofore may have been validated through tradition, custom, and other received considerations is now to be justified by rational argument alone. “It is a great obstinacy, the kind of obstinacy which does honor to human beings, that they are unwilling to acknowledge in their attitudes anything which has not been justified by thought—and this obstinacy is the characteristic property of the modern age.”²⁴

Certainly, Hegel does not claim that the notion of autonomy has application only to Western or modern European societies. He asserts that this principle, together with that of autonomous self-reflexivity, possesses universal standing and denotes features implicit in all cultures. Rational autonomy is a concept that is “inherent in the essence of every man.”²⁵ He makes this point also when detailing the ethnic and racial differences of peoples: “Man is implicitly rational; herein lies the possibility of equal justice for all men and the futility of a rigid distinction between races.”²⁶ Appreciation of this point is important given current tendencies to construe Hegel's cultural philosophy in racial and even racist terms.²⁷ It is also important because it demonstrates the universal extension of his conceptions of freedom and reason.

Still, whatever generally Hegel may say about the universal nature of these concepts, he maintains that their realization is specific to the Western experience. For one thing, he claims that the idea of freedom first “came into the world”²⁸ with the revealed religion of Christianity, whose notion of the interpenetration of finite and infinite established “the self-sufficient and inherently infinite personality of the individual, the principle of subjective freedom.”²⁹ In addition, freedom proper—“the self consciousness of

freedom"³⁰—is something specific to European modernity. Not only does modern Western culture formally institutionalize legal and political structures based on the principle of freedom; with its differentiated accounts of thought and being, subject and other, self and other, it also furnishes the bifurcations required for the form of self-objectification needed for any explicit self-consciousness of freedom.³¹ Moreover, modern developments fashion a social world in which consciousness of freedom becomes the defining principle of social life itself. Cultural consciousness of the "intrinsic value of subjectivity"³² itself becomes the "form of the world," shaping all aspects of human life, from the legal, moral, economic, and political to the aesthetic, emotional, and religious as well.³³ All are respects in which, for Hegel, "[t]he greatness of our age consists in the fact that freedom, the distinctive feature of spirit whereby it is at home with itself, is *recognized*."³⁴

Yet if Hegel does assign normative pride of place to Western notions of freedom and rationality, his account of history, precisely in its normative character, also questions contemporary articulations of these notions. He would challenge the type of narrow, self-satisfied understandings of European modernity evident in thinkers as diverse as Fukuyama³⁵ and Rorty.³⁶ This follows from the general structure of his philosophy of freedom, whose distinction between existentially realized freedom, "Objective Spirit," and fully self-apprehending freedom, "Absolute Spirit," bars ratifying any historically existent state of affairs as freedom's full realization. More important, the principle of social-political freedom infusing world history is not fully represented in modern societies, however much they might idealize the latter. Indeed, measured against the "self-consciousness of freedom,"³⁷ modern life is easily characterized by deficiencies in concretizing freedom, as the economic and administrative imperatives of modern societies can undermine the very notions of freedom they purport to defend. Finally Hegel's own articulation of what counts as realized freedom is at variance with its conventional modern manifestations. Liberty for him is intertwined with concepts of mutuality, social membership, and communal virtue—concepts more akin to Asian and African accounts than Western counterparts.³⁸

True, unlike some critics of Western modernity, Hegel's critique and his proposed alternatives remain within the ambit of Western reason itself. They are advanced not as radical dismissals but as internal criticisms, committed to realizing more fully the claims of Western reason itself. Not only is his communitarianism presented as an immanent development of modern notions of freedom and liberty; its proper articulation itself depends on incorporating those notions. Yet this does not undermine Hegel's challenge to one-sided notions of Western conceptions of autonomy. On his view, the only proper challenge is one that confronts an object with its own claims. Thus, a rational reconstruction of modern notions of liberty—as his transition from civil society to political community demonstrates—must take the

form of a societal self-reconstruction on the part of individuals defined by those liberties.

Hegel's criticism of a narrow understanding of modern freedom also flows from his particular understanding of the autonomous character of modern societies. In keeping with his definition of spirit, Hegel claims that what characterizes a free society is not just that it accommodates institutions that underwrite individual and collective liberty but that a people also understands itself as free. This means, *inter alia*, that a people can claim autonomy—it can claim the status of a *Volksgeist*—only to the degree that it routinely reassesses the relationship between norms, practices, and institutions that shapes and defines its identity. Only through such regular self-reimaging can a people hope to remain the source of conditions defining it. Yet such self-reflection is never complete. Because the self, be it of an individual or a culture, can never fully grasp itself, qua subject, in the act of self-comprehension, every such act is necessarily partial and one-sided. Likewise, every act of self-comprehension, in seeking to be authoritative, is compelled to repeat the process, continually seeking anew the closure its nature nonetheless denies.

And to the degree that it is repeated, every new act of self-comprehension propels the self beyond itself, to a different and presumably more encompassing, if no less unstable, articulation of its identity. Any affirmation of autonomous identity is inevitably an assertion of nonidentity and self-transcendence. Hegel makes the point with regard to the experience of the individual consciousness, ever condemned to “suffer [. . .] violence at its own hands.”³⁹ But it is also applicable to accounts of cultural and societal identity. Referring to the historical succession of *Volksgeistern*, Hegel writes: “The history of spirit is its own deed; for spirit is only what it does, and its deed is to make itself . . . the object of its own consciousness, and to comprehend itself in its interpretation of itself to itself. This comprehension is its being and principle, and the completion of an act is at the same time its alienation and transition.”⁴⁰

Thus, while Hegel claims that European modernity represents the world historical realization of the principle of freedom, that principle, far from endorsing as definitive the structures of European modernity, only attests to the need for their self-transcendence. The autonomous realization of a culture or an epoch itself is fulfilled “by effectuating a transition to . . . a new phase and a new spirit.”⁴¹ Any culture, including that represented by Europe, sustains itself only in surpassing itself.⁴²

It may be objected that while Hegel does ascribe a dynamic and self-transcending dimension to European culture, he does so not in the spirit of, say, cross-cultural understanding and global openness, but to undergird Europe's imperialist and expansionist tendencies. Modern notions of freedom, identified by Hegel with the *European spirit* itself, are predicated on an appropriative attitude to the other. The “infinite drive for knowledge” that infuses reason's claim to autonomy is not satisfied until all that is alien

can be deemed its own determination. "The principle of the European spirit is . . . self-conscious reason which is confident that for it there can be no insuperable barrier and which therefore takes an interest in everything in order to become present to itself therein."⁴³

Even here, however, Hegel is no crude apologist for Western expansionism. His commitment to the universal reach of freedom should not be construed as support for a Napoleonic *mission civilisatrice* gone global. Instead, the infinite drive characteristic of modern principles of freedom and rationality is not only constrained by but fulfilled in recognition of the autonomy of the other. The self may seek to find itself in the other, but that self-location is itself possible only to the degree that it not only recognizes the other but obtains the other's recognition. He makes the point with regard to European colonialism, claiming that the "liberation of colonies itself proves to be of the greatest advantage to the mother state, just as the emancipation of the slaves is of greatest advantage to the master."⁴⁴ He says the same of the European spirit itself, which "opposes the world to itself, makes itself free of it, but in turn annuls this opposition, takes its other, the manifold, back into itself, in its unitary nature."⁴⁵ At least in principle, the European spirit is a principle not of domination but mutuality.⁴⁶ What Hegel says of the individual self is applicable to the relationship of communities as well: "the concrete return of me into me in externality is that I, the infinite self-relation, . . . have the existence of my personality in the being of other persons, in my relation to them, and in my recognition by them, which is thus mutual."⁴⁷

Those critical of the Eurocentric character of Hegel's philosophy of history may focus less, however, on cross-cultural dialogue than on his account of the relationship of earlier stages of development to history's presumed final culmination in "Christian-Germanic" societies. It is here that Hegel appears to assert that such cultures have value, not in themselves, but only as a means to realize a modern social order. Yet this view also misrepresents the very idea of a developmental account of freedom. A history of freedom cannot regard individual cultures as mere tools needed to realize a final end. At least as regards those features of a culture distinctly expressive of the principle of spirit—Hegel names "morality, ethics, and religiosity," these have an "infinite right" and must be assigned intrinsic value.⁴⁸ Central to a history of freedom is the proposition that earlier cultures must be valorized as autonomous ends in themselves rather than mere stepping stones for the realization of a later stage.⁴⁹

To be sure, this is not to suggest that Hegel seeks to champion the irreducible and self-sufficient uniqueness of an earlier culture. As already suggested, cultural identity, for Hegel, is not a wholly indigenous property but one achieved only through reference to other cultures, to those—future cultures included—alien to itself. Moreover, cultural identity itself depends on the availability of institutional structures allowing for genuinely collective processes of self-interpretation and self-definition—and these, for

Hegel, are most fully developed in modern constitutional societies. Yet if in this sense Hegel does ascribe historical superiority to modern societies, he does so not to denigrate the claims of earlier cultures but to accommodate their realization. Hegel's critics are not wrong to assert that on his view an earlier culture can serve as a means to realize a social order understood as the endpoint of history. But it is also the case that a higher stage itself serves as a means to actualize more fully a principle of identity associated with earlier culture.⁵⁰ In this regard, "the relation of a mere means to an end disappears."⁵¹

In the same way that Hegel claims that the past cannot be tossed aside in the march of history, he also claims that the historical present depends for its own reality on recourse to the past. Directed to the *self-consciousness* of freedom, philosophical history culminates not just in the realization of free institutions but in the self-awareness of individuals as free. Self-conscious freedom, however, cannot take the form of an internal state or a mere subjective phenomenon. Rooted in the idea of selfhood in otherness, freedom requires that individuals recognize themselves in the objective conditions of their existence. This means, *inter alia*, that self-conscious freedom is also the *historical* consciousness of freedom. Autonomous self-consciousness involves the process by which a people locates itself with regard to the historical traditions that always already shape it,⁵² affirming its debt to a historical legacy even as it refashions that legacy so as to claim a distinctive identity of its own. For Hegel, cultural self-definition is a process of internalization (*Er-innnerung*), an appropriation of a received heritage that simultaneously recalls the heritage itself.⁵³ Without historical reference, the present is an incomplete abstraction; it "cannot understand itself and develop an integrated consciousness without reference to the past."⁵⁴

IV

Even if one acknowledges that Hegel's is a nuanced account of world history that eschews any apotheosis of modern European culture, his view as a whole may be said to articulate a singular and even unilinear structure that would seem to preclude alternative accounts, especially those that may lie outside the Western cultural context. And indeed his theory does give expression to a specific inner logic of historical development. Yet to say that world history is governed by a developmental logic is not also to say that history itself is incapable of assuming alternate forms and iterations. On the contrary, openness to diversity is not only accommodated but even mandated by his view. This point can be appreciated by noting the degree to which developmental world history is, for Hegel, a *history of spirit*.

Hegel's history of spirit is conventionally construed in theological terms.⁵⁵ On his view, though, such a history instantiates first and foremost the principle of self-reflexive subjectivity that informs spirit in all its

manifestations. For a reconstructive account of history, this principle is significant in multiple respects. It defines history's subject matter (political communities), historical dynamism (surmounting self-reflexive incompleteness), historical development (simultaneous negation and preservation of one cultural principle in another), and history's very purpose (deepening human self-comprehension). But subjectivity is also important as it accommodates contingency and diversity in an account of historical development. As the articulation of self-reflexive subjectivity, spirit affirms the principle of *bei sich Selbst sein*. Yet this principle requires that spirit find expression in what is other and alien to itself—in the circumstances that envelop any account of historical experience. As a history of spirit, a “universal” account of historical development must also affirm particularity and contingency. In this regard, Hegel, displaying affinities to Montesquieu, asserts that historical development has meaning and reality only with reference to specific climatic, geographical, anthropological, and cultural conditions, among others. Indeed, he defines history itself as just the shape spirit assumes in the form of particular events and occurrences: “*die Geschichte [ist] die Gestaltung des Geistes in Form des Geschehens.*”⁵⁶ And because contingent circumstances are endlessly variable, so too—here Hegel displays affinities to Herder—are the accounts of historical development and the specific shapes of spirit expressed through them. “Since history is the process whereby spirit assumes the shape of events and is of immediate natural reality, the stages of its development are present as immediate natural principles, constituting a plurality of separate entities.”⁵⁷

To be sure, as a history of spirit, world history remains first and foremost a history of freedom rather than nature; at issue is self-determination, not external determination. Indeed, proper to a history of freedom is just the purgation of the forms of heteronomous determination associated with empirical contingency. Even here, however, world history, on Hegel's account, affirms circumstantial contingency. Qua selfhood in otherness, freedom can never be articulated abstractly, in juxtaposition to forms of external determination. Rather—and here Hegel opposes Kant and Fichte—it can express self-determination, it can defuse external conditioning, only when it can be said to affirm itself in the circumstances that might otherwise constrain it. Here, too, freedom is unintelligible as a mere concept, but requires realization in external reality as well. In addition, attention to contingency inheres in the very idea of a history of the consciousness of freedom. A people is self-consciously free—again in line with the notion of freedom as *bei sich Selbst sein*—only to the degree that individuals apprehend themselves in the circumstances specific to the conditions of their existence. Here, too, freedom is relative to the conditions surrounding its expression. And since these circumstances are endlessly varied, a philosophical world history “mediated by consciousness and will”⁵⁸ will also assume varied forms relative to the diverse conditions of its expression.

Hegel's point, though, is not just that an already clarified and validated principle of development assumes different manifestations according to changing contextual circumstances. It is also that the embodiment process defines and often generates the principles themselves. Such is certainly the case with the concept of freedom. World history is the history of the consciousness of freedom, but that freedom is itself defined and redefined according to conditions relative to particular circumstances. The process by which the concept of freedom is historically realized is also one in which "the concept itself . . . is modified."⁵⁹ Moreover, because a history of the consciousness of freedom advances to the degree that one culture appropriates, reworks, and transfigures a received legacy, the process of development is itself intertwined with the specific circumstances defining the reality and self-understanding of a particular culture. World history, for Hegel, may remain a singular and even unilinear history of spirit, but that process is not thereby contraposed to the particularity and variety of empirical reality. Rather, developmental world history itself incorporates difference, instantiating "the differentiation of [. . .] spirit within itself."⁶⁰

In recent years, much discussion has been devoted to the concept of "alternative modernities."⁶¹ To the extent that this discussion thematizes diverse types of modernity,⁶² Hegel would be an unlikely proponent. For him, modernity—and his theory of history is also an account of modernity—expresses a uniform logic, depicting development of a concept of spirit whose structures derives from his logic and metaphysics. But Hegel does not thereby claim that a developmental account of modernity cannot assume multiple forms and expressions. Multiple accounts flow from appreciation of how history—tellingly fashioned as world rather than universal history—requires empirical diversity for its concrete articulation. Hegel himself advances a conception of history that forefronts European considerations. And a Eurocentric bias may attach to any account rooted in notions of freedom, spirit, and subjectivity as derived from the Western philosophical tradition. Still, appreciation of the nuanced nature of his account of history reveals an openness to alternative accounts, including those that supplement his own Western orientation.

V

I have argued that Hegel's philosophy of history, far from serving as a positivistic apotheosis of the existing realities of Europe and European modernity, is advanced rather as part of a normative reconstruction, one that, while acknowledging the achievements of the West, also represents a challenge to any narrow understanding of those achievements. This point can be further developed, however, by regarding the philosophy of history as much as a normative-practical as a normative-theoretical undertaking. As

does the *Philosophy of Right*, Hegel's *Philosophy of History* has a pedagogical dimension. This is so not just because it was prepared as lectures for university students, but because, like the practical philosophy of which it is a part, it was intended to "cultivate and shape the civic disposition"⁶³ of members of his audience.

Directed to students who, given the then-current nature of German society and the German university system, were expected to assume positions of leadership in society, the philosophy of history was conceived in part as an effort in civic education designed to exhort the public engagement needed to further realize the principle of freedom whose evolution is normatively sketched in the account of history. In publicly challenging "the cultural prejudices of the age"⁶⁴—for example, apolitical notions of Protestant liberty, egoist views of individual freedom, bureaucratic notions legal authority, institutionalist conceptions of law, traditionalist conceptions of community, and, not least, exclusionary notions of national sovereignty—Hegel sought to inculcate in his audience appreciation of the desirability of further realizing a notion of freedom understood as selfhood in otherness, thereby encouraging individuals to participate in the efforts required to promote that realization.⁶⁵

Concluding one set of lectures, he states: "It is my desire that this history . . . should contain for you a summons to grasp the spirit of the time, which is present in us by nature, and—each in his own place—consciously to bring it from its natural condition, i.e., from its lifeless seclusion, into the light of day."⁶⁶ Not unlike Kant's philosophy of history,⁶⁷ also a history of freedom, Hegel's is as much practical as theoretical philosophy and remains dependent on the moral cultivation of its addressees for its reality and final validity. In practical as well as theoretical terms, a history of the self-consciousness of freedom assumes objectivity in its normative reconstruction.

The point may be made more concrete by briefly considering Hegel's account of civil servants, the chief players in his treatment of executive power. The corps of civil servants, "the most conspicuously educated class,"⁶⁸ possesses a special relation to university education. First, education provides training (*Erziehung*) in the competencies needed to administer the complex systems of modern societies. In addition, university education trains individuals for administrative positions' qualifications, which are established through uniform and objectively demonstrable skills and abilities rather than, as had traditionally been the case, through group membership, family ties, patronage, or personal connections. Perhaps most significantly, education furnishes the moral cultivation (*Bildung*) required of modern civil servants.⁶⁹ Education inculcates sensitivity to the universal considerations required of individuals expected to exhibit a "public consciousness."⁷⁰ This "universalizing education"⁷¹ cultivates in individuals the impartiality and selflessness needed for genuinely public servants of the state, individuals

who are neither public employees nor political operatives but agents of the common good.

Moreover, moral and intellectual cultivation fosters an appreciation of the commonality of interests and diversity of perspectives that must be the focus of administrators in the large, complex, and differentiated societies of modernity. Finally, *Bildung* cultivates the complex judgment required of public officials whose task, as members of what Hegel calls "the middle class" (*Mittelstand*), is to mediate universal and particular. On the one hand, moral cultivation equips administrators with an ability to relate laws and politics to particular circumstances. On the other, it cultivates an ability on the part of career civil servants—termed by Hegel "the educated intelligence and the legal consciousness of the mass of the people"⁷²—to bring the concerns of everyday social life to the attention of policy makers. In both respects, moral education enables "the intellectual estate"⁷³ to perform its function as the mediating class in public life.

Hegel assumes that the functions of the class of civil servants are exercised principally in the domestic sphere. But anticipating the work of the late Kojève,⁷⁴ he also assigns the intellectual estate a global and even world historical function. As products of universities committed as much to self-cultivation as career training, the future civil servants are viewed both as addressees and agents for the "universal knowledge and universal perspectives" comprising the material of a cultural world spirit. Also, as agents of political systems whose identity is itself linked to relations of reciprocal recognition with other states, civil servants in one community interact with counterparts elsewhere,⁷⁵ and in a way that can contribute to a shared global culture. Similarly, in their expectation to mediate universal and particular, one that also concretizes the situated cosmopolitanism introduced by Hegel at the beginning of his account of the administration of justice, civil servants can effectuate the *Weltgeist* itself, understood by Hegel as reposing in just the mediation of "restricted" and "unrestricted" perspectives on the human spirit.⁷⁶ It is not coincidental that one version of the *Philosophy of Right* concludes the section on world history with a robust endorsement of this "middle class."⁷⁷

It is easy to ridicule Hegel's confidence in the intelligence, impartiality, and moral judgment the class of civil servants. Marx is well-known for the scorn he heaped on what, for him, was an ideological view of state bureaucracy.⁷⁸ For present purposes, however, it is enough to note the role played by moral-practical considerations in Hegel's account of world history. World history does not proceed objectivistically, behind the backs of human agents, but is dependent in part on practical engagement, itself nurtured through moral and theoretical cultivation. Hegel may be famous for claiming that philosophy does not *directly* instruct

the world; he does claim that education can and should shape the consciousness of individuals who later can contribute to reason's realization in the world.

VI

Two points follow from this account of the role of moral cultivation in the realization of world history, and both involve a commitment to global openness. First, it further questions the notion that Hegel advances a monolithic, singular, or exclusionary conception of world history. To say that philosophizing about history has a normative-practical function aimed at the knowledge and action capacities of contemporary agents means that world history is fashioned from a particular perspective. Like philosophy generally ("its own time apprehended in thought"), the philosophy of history is directed to the "present standpoint,"⁷⁹ addressing individuals, including lecture attendees, from the perspective of "their time and their world."⁸⁰ But if philosophical world history does have this perspectival dimension, then it allows, precisely in its character as *world* history, for other accounts of development, those written at different times and directed to different audiences. Hegel may do little to detail such accounts;⁸¹ and his own has an undeniably European dimension. There is little in his thought explicitly directed to "provincializing Europe," the expression proffered by Dipesh Chakrabarty to relativize Eurocentric approaches.⁸² Still, understanding Hegel's philosophy of world history as a type of normative reconstruction conceived with practical intent permits ascribing to it an openness not only to diverse accounts of history, but to what Charles Taylor, invoking Chakrabarty, calls a "multiform world" of historical development.⁸³

Second, to say that world history, for Hegel, is a normative-practical undertaking directed to the conditions of agency on the part of his contemporaries also suggests that the latter can be expected to display sensitivity to other cultures, one that may facilitate realization of a global culture and even the idea of globality itself. To expect compatriots to play a role in the worldly realization of freedom means that they must contribute to the reality not just of free institutions but of an ethico-political community conscious of itself as free.⁸⁴ However, a realized form of self-conscious freedom cannot be circumscribed by the boundaries of a particular political community.⁸⁵ As we know from Hegel's epistemology and social ontology, both of which rest on accounts of intersubjectivity, affirmation of the autonomous self-consciousness of one being (be it an individual or a group) is unintelligible without recognition of the self-consciousness of another. For Hegel, this means at least three things as regards an autonomous political community: it must recognize the culture of another, it must acknowledge the other's understanding of itself, and it must incorporate into its own self-understanding the other's recognitive understanding of it. What Hegel

said of the historical emergence of German identity applies generally as well: cultural-political autonomy requires attention to "alien forms of life and the bringing of these to bear upon [one's] own."⁸⁶ Moreover, because the recognition that one culture obtains from another is enriching and meaningful only if freely given, the autonomous self-identity of one culture depends on its affirming the autonomy of the other. Thus, while the historical realization of freedom may depend on citizens committed to realizing freedom in one community, such realization itself not only involves but demands a broader *Weltweisheit*⁸⁷—an openness to other cultures, their sense of self-identity included.

Elements of this position are discernible in Hegel's account of the nature of global interconnectivity specific to his age: sea-based commercial trade. Maritime trade is the "supreme medium of communication (*Verbindung*) . . . [that] links distant countries."⁸⁸ Hegel's focus, however, is not first and foremost on trade itself. Nor is it on the "legal relationships" spawned in commercial exchange, even if he does see in exchange relations the basis for a realized account of universal human rights.⁸⁹ What is most distinctive about forms of interconnectivity facilitated by global trade is rather their contribution to conditions for education or *Bildung*; indeed, it is with regard to its capacity as a "means of education" (*Bildungsmittel*) that commerce "derives its world-historical significance."⁹⁰

To be sure, *Bildung* does not connote technical skill or commercial acumen. As elsewhere, Hegel associates it with forms self-cultivation, those that themselves are not possible without successful relations of reciprocal recognition. It is in this context that Hegel criticizes colonialism, which he interprets just in terms of relations of *misrecognition*.⁹¹ Part and parcel of *Bildung* is proper attention to "the sensitivities of others."⁹² Here we leave aside the question of the relationship of commercial forms of interaction and the ethical forms they may generate.⁹³ We leave aside as well the question of how this commercially fostered form of *Bildung* relates to the pedagogically cultivated forms he proffers elsewhere. It should be clear though that, in this case as well, Hegel presents *Bildung* as a means of cultural self-formation that both promotes and requires cross-cultural understanding.⁹⁴

Appreciation of the intersubjective dimension of cultural identity formation is also important as it indicates how historical agents may contribute to the realization of a global culture, a shared global identity included. As noted, individual self-identity depends *a limine* on a recognitive process in which the self is prepared to incorporate into its own self-understanding the other's perspective on its identity. Yet the first self will most openly recognize the other's recognition of it only if knows that the other is, in turn, prepared to recognize that its own identity itself depends on recognizing that of the first. This means that the other must also be prepared to incorporate into its sense of self the first self's understanding of it.

In this respect, individual identity formation is intertwined with a process of *mutual* recognition, one involving a dynamic of reciprocal adjustment

and adaptation tendentially contributing not only to a convergence of perspectives but formation of a common identity. What Hegel said in the *Phenomenology of Spirit* of persons applies to peoples as well: in reciprocal recognition the I becomes a We. In this respect, freedom properly realized in one community is intertwined not only with the freedom of another community but *a limine* with formation of a global culture and a shared sense of global identity—a *Weltgeist*, as it were. Hegel himself spoke only of the emergent cultural identity of European peoples,⁹⁵ but his argument applies as well to the world's peoples.

To be sure, a Hegelian notion of global commonality has little in common with the “philanthropic” humanism of Kantian cosmopolitanism.⁹⁶ For Hegel, historically realized freedom remains tied to the realities of a particular political community. Moreover, any global culture is itself formed and sustained only in the ongoing interaction of its individual communities. For Hegel, there are no global norms outside the law of peoples itself. The world's court of judgment is indeed world history itself.⁹⁷ Yet far from denying a “cosmopolitan” dimension to Hegel's notion of historical agency, this insight only affirms it. Because Hegel does assert the codependency of global and national culture, *Weltgeist* and *Volksgeist*,⁹⁸ realization of freedom in one community proceeds isomorphically with cultivation of an intercultural sensibility and a commitment to globality itself.

It is true that Hegel himself does not fully develop the position adumbrated here. And his university lectures certainly include comments reflecting more ethnocentric dispositions. Still, proper acknowledgment of what Hegel did say, combined with an appreciation both of his general view of the relationship of self and other and his own advocacy of a contemporizing approach to philosophical historiography,⁹⁹ argues for a treatment of his position that in this instance too, goes beyond the parochialism commonly associated with it. Hegel does exhort his listeners to contribute to the realization of freedom in the world. Because worldly freedom consists in the self-consciousness of freedom, such exhortation must include not only an openness to other cultures but a commitment to a (properly differentiated) notion of globality itself. Hegel's philosophical world history articulates the rudiments of a notion of global citizenship, rooted in *Weltweisheit* and contributive to the *Weltgeist* itself.

VII

This chapter has questioned the charge of Eurocentrism typically leveled at Hegel's philosophy of history. While not disputing the presence of such a dimension, I have argued that it is less pernicious than commonly assumed. Hegel's history does culminate in affirmation of European cultural-political accomplishments, but this affirmation is advanced less as a triumphalist presentation of actual historical developments than as a reconstructive

account of historical phenomena ultimately meant to engage the moral consciousness and conditions of agency of a German and European public. In this respect, Hegel not only allows for alternative accounts of history but expects from his fellow countrymen an openness to other cultures, one in turn that can contribute to global commonality itself. In response to general criticisms of the European tradition, Ulrich Beck has invoked the notion of a “cosmopolitan Europe,” one forged in the internal self-criticism of the European path itself. “A cosmopolitan Europe is a historically rooted Europe which breaks with its history and draws strength to do so from its own history, a Europe which is *self-critically* experimental.”¹⁰⁰ Although Hegel would likely dispute some features of this formulation, his own approach is also predicated on an immanent and situated critique of Eurocentrism—critical self-development initiated from within the ambit of Western culture itself. Little more, but also little less, could be expected from a thinker attentive to the historically contextualized conditions of thought and experience.

Notes

NOTES TO CHAPTER 1

1. For a general discussion of dialectic in Hegel, including the issue of non-contradiction, see Michael Forster, "Hegel's Dialectical Method," in *The Cambridge Companion to Hegel*, ed. Frederick C. Beiser (Cambridge: Cambridge University Press, 1993), 130–70.
2. Allen W. Wood, *Hegel's Ethical Thought* (Cambridge: Cambridge University Press, 1990), 1–8.
3. Richard Rorty, *Contingency, Irony, Solidarity* (Cambridge: Cambridge University Press, 1989). In his disjunction of dialectic and logic, Robert B. Pippin advances a view with affinities to Rorty's, even if his attention here may be not on Hegel's logic but the formal logic that Hegel distinguished from his own. See Robert B. Pippin, *Modernism as a Philosophical Problem: On the Dissatisfactions of European High Culture*, 2nd ed. (Malden, MA: Blackwell, 1999), 68.
4. Wood, *Hegel's Ethical Thought*, 11.
5. *PR*, 10.
6. James Hutchison Stirling, *The Secret of Hegel: Being the Hegelian System in Origin, Principle, Form, and Matter* (Edinburgh: Oliver & Boyd, 1898).
7. In this respect the approach of the present book differs from that of Charles Taylor, who claims that "while Hegel's ontology is near incredible, his philosophy is very relevant to our age." See Charles Taylor, *Hegel and Modern Society* (Cambridge: Cambridge University Press, 1979), 135. It also differs from the related approach adopted by Axel Honneth in his important effort to "reactualize" Hegel's political philosophy: *The Pathologies of Individual Freedom: Hegel's Social Theory*. Honneth writes: "It is said that the steps in Hegel's reasoning can be correctly followed and judged only in relation to the appropriate parts of his *Logic*, but the *Logic* has become totally incomprehensible to us owing to its ontological conception of spirit. Therefore, it seems advisable to treat the text as a quarry for brilliant insights rather than making a futile attempt to reconstruct the theory as an integral whole." Axel Honneth, *The Pathologies of Individual Freedom: Hegel's Social Theory*, trans. Ladilaus Löb (Princeton, NJ: Princeton University Press, 2010), 4. Later, I will address the possible value in Hegel's "ontological conception of spirit." Here, I simply note that whatever it may mean to reconstruct the theory as an integral whole, understanding of the insights advanced in political philosophy can be enhanced by relating concepts and categories employed there to those portions of his logical and metaphysical writings where they are given greater elaboration. In this regard, the present undertaking has affinities with the work of Rolf-Peter Horstmann, who

accentuates the centrality of the accounts of logic and metaphysics in any understanding of Hegel's project. In interesting agreement with Honneth, however, Horstmann accepts the proposition that this aspect of Hegel's work, and thus Hegel himself, is not amenable to contemporary "reactualization." A proper appreciation of Hegel's position may reveal that he "proves too resistant to promise much hope for . . . well-meaning attempts to integrate his thought within a more contemporary philosophical perspective." See Rolf-Peter Horstmann, "Substance, Subject and Infinity: A Case Study of the Role of Logic in Hegel's System," in *Hegel: New Directions*, ed. Katerina Deligiorgi (Montreal: McGill-Queen's University Press, 2006), 84 and passim. In this regard, the present book is distinguished from the positions of Taylor, Honneth, and Horstmann alike.

8. See Rolf-Peter Horstmann, "Schwierigkeiten und Voraussetzungen der dialektischen Philosophie Hegels," in his introduction to his edited work, *Seminar: Dialektik in der Philosophie Hegels* (Frankfurt am Main: Suhrkamp, 1978), 9–30.
9. *SL*, 74.
10. *ELG*, §81.
11. *ELG*, §81; *SL*, 433.
12. *ELG*, §151A.
13. *ELG*, §41A2; *PS*, 55.
14. *ELG*, §82.
15. *EM*, §483.
16. *EM*, §385A.
17. *EM*, §385A.
18. For an important discussion of the relationship between Hegel's philosophy generally and his analysis of modern societies, see Joachim Ritter, *Hegel and the French Revolution: Essays on the Philosophy of Right*, trans. Richard Dien Winfield (Cambridge, MA: MIT Press, 1982).
19. *PR*, 21.
20. *PR*, §181.
21. *PR*, §181.
22. *PR*, §33.
23. *PR*, §183.
24. *PR*, §343.
25. *SL*, 74.
26. The treatment of Hegel advanced in this book bears affinities to that presented by Gary Browning in his work *Hegel and the History of Political Philosophy*. Not only does Browning examine Hegel's political thought in the context of its relation to other thinkers in the history of political thought, he claims as well that the distinctive feature or "identity" of Hegel's position can be best captured by way of such comparisons. On the other hand, the thrust of the two approaches is different. For Browning, engagement with other and in particular subsequent thinkers is occasion to adumbrate the rudiments of a "reformulated" or "revised" Hegel, one based on a rejection of the "partiality and misguided absolutism" that characterizes Hegel's standpoint. By contrast, the current work, while in not suggesting that Hegel's position is beyond criticism, argues not only that many of the actual criticisms of Hegel misrepresent his position, but that the claims advanced by subsequent thinkers in opposition to Hegel, directly or indirectly, are or can be in many cases better formulated by Hegel himself. Gary K. Browning, *Hegel and the History of Political Philosophy* (New York: St. Martin's Press, 1999), 15 and passim.
27. Cf. Robert B. Pippin, *Hegel's Practical Philosophy: Rational Agency as Ethical Life* (Cambridge: Cambridge University Press, 2008).

28. See Manfred Riedel, "Framework and Meaning of 'Objective Spirit': A Conceptual Change in Political Philosophy," in *Between Tradition and Revolution: The Hegelian Transformation of Political Philosophy*, trans. Walter Wright (Cambridge: Cambridge University Press, 1984), 3–30.
29. PR, §33A.
30. SEL, 145.
31. PR, §2A.
32. Karl-Heinz Ilting, "Hegels Auseinandersetzung mit der aristotelischen Politik," in FPS, 759–85.
33. See Ludwig Siep, *Anerkennung als Prinzip der praktischen Philosophie. Untersuchungen zu Hegels Jenaer Philosophie des Geistes* (Freiburg: Karl Alber Verlag, 1979).
34. PR, 10.
35. PR, 21.
36. SEL.
37. DFS, 89ff.
38. Cf. DFS, 91n.
39. PR, 21, 23, amended.
40. PR, 21.
41. Vittorio Hösle, *Hegels System. Der Idealismus der Subjektivität und das Problem der Intersubjektivität. Volume 2: Philosophie der Natur und des Geistes* (Hamburg: Felix Meiner, 1987), 416f.
42. ELG, §24.
43. PR, 20.
44. Hösle, *Hegels System*, Vol. 2, 419.
45. Karl Heinz Ilting, "Rechtsphilosophie als Phänomenologie des Bewußtseins der Freiheit," in *Hegels Philosophie des Rechts. Die Theorie der Rechtsformen und ihre Logik*, ed. Dieter Henrich and Rolf-Peter Horstmann (Stuttgart: Klett-Cotta, 1982), 225f.
46. PS, 43.
47. PS, 35, amended.
48. ELG, §12.
49. Michael Theunissen, "Begriff und Realität. Hegels Aufhebung des metaphysischen Wahrheitsbegriffs" in *Seminar*, ed. Horstmann, 324–54.
50. ELG, §9.
51. LPWH, 67.
52. PS, 3.
53. ELG, §22.
54. Axel Honneth also uses this term to characterize the normative dimension of Hegel's practical philosophy. For Honneth, reconstruction uncovers norms of practical rationality already present in an existing form of life, whereas on the account advanced here, reconstruction specifies norms that might assess and validate an existing form of life. See Honneth, *Pathologies of Individual Freedom*, 57. For another characterization of what he calls Hegel's account of "conceptual normativity," see Robert B. Brandom's work, *Tales of the Mighty Dead*. Brandom notes the "normative character of concepts" for Hegel, but, in keeping with an effort to locate "pragmatist themes in Hegel's idealism," he too quickly identifies conceptual normativity with social processes of reciprocal recognition, losing sight thereby of Hegel's innovative reconstruction of the classical definition of truth. See "Some Pragmatist Themes in Hegel's Idealism," in Robert B. Brandom, *Tales of the Mighty Dead: Historical Essays in the Metaphysics of Intentionality* (Cambridge, MA: Harvard University Press, 2002), 212 and passim.
55. ELG, §213A.

56. Cited in Riedel, *Between Tradition and Revolution*, 83.
57. *ELG*, §6; *SL*, 799f.
58. The term is Klaus Hartmann's, although its use here differs from the "categorical, non-metaphysical" version he proffers. See Klaus Hartmann, "Linearität und Koordination in Hegels Rechtsphilosophie," in *Hegels Philosophie des Rechts*, ed. Henrich and Horstmann, 305–16.
59. *VRP*, Vol. 4, 465.
60. *ELG*, §16.
61. *PS*, 3. For a discussion of the critical dimension of Hegel's concept of presentation as employed principally in the *Science of Logic*, see Michael Theunissen, *Sein und Schein. Die kritische Funktion der Hegelschen Logik* (Frankfurt: Suhrkamp, 1978), especially 13–19.
62. Seyla Benhabib, *Critique, Norm, and Utopia: A Study of the Foundations of Critical Theory* (New York: Columbia University Press, 1986), 9.
63. *PR*, §2.
64. *PS*, 6.
65. *Werke*, Vol. 20, 56.
66. *PR*, §1A.
67. *VPRHe*, 51.
68. *PS*, 483, amended.
69. *PS*, 487.
70. *PR*, 23.
71. *VNSW*, §34. In arguing that a constitution can and must be renewed, Hegel is obviously ascribing to political action something he denies to philosophy, for which a shape of life that has grown old "cannot be rejuvenated but only known" (*läßt sich nicht verjüngen, sondern nur erkennen*) (*PR*, 22, translation amended).
72. *PR*, §343.
73. *LPWH*, 62f.
74. *LPWH*, 56.
75. *ELG*, §81.
76. For some versions of this position, see Jürgen Habermas, "Labor and Interaction: Remarks on Hegel's Jena Philosophy of Mind" in *Theory and Practice*, trans. John Viertel (Boston: Beacon Press, 1973), 142–69; Axel Honneth, *The Struggle for Recognition: The Moral Grammar of Social Conflicts*, trans. Joel Anderson (Cambridge, MA: MIT Press, 1996); and Hösle, *Hegels System*, Vol. 2, 471–81.
77. For a related treatment of this issue, see Edith Düsing, *Intersubjektivität und Selbstbewußtsein* (Cologne: Jürgen Dinter, 1986).
78. *EM*, §436.
79. *PR*, §7.
80. *PS*, 110.
81. *EM*, §436.
82. *PR*, §21.
83. Honneth, *Pathologies of Individual Freedom*, 47.
84. Honneth, *Pathologies of Individual Freedom*, 18.
85. Above all in his early writings, Honneth asserts, Hegel "takes his lead from the Aristotelian notion that there is, inherent in human nature, a substratum of links to community that fully unfold only in the context of the polis." In these works, he already "presupposed the existence of intersubjective obligations as the quasi-natural precondition of every process of human socialization." Honneth, *Struggle for Recognition*, 14f.
86. Honneth, *Pathologies of Individual Freedom*, 16.
87. *PR*, §270.

88. Honneth, *Pathologies of Individual Freedom*, 4.
89. Pippin, *Hegel's Practical Philosophy*.
90. Charles Taylor, "Hegel and the Philosophy of Action," in *Hegel's Philosophy of Action*, ed. Lawrence S. Stepelevich and David Lamb (Atlantic Highlands, NJ: Humanities Press, 1983), 1–18.
91. Pippin, *Hegel's Practical Philosophy*, 147.
92. Pippin, *Hegel's Practical Philosophy*, 221.
93. ELG, §112, slightly amended.
94. Pippin, *Hegel's Practical Philosophy*, 241.
95. PR, §258A.
96. EM, §503.
97. SL, 843f.
98. SL, 843.
99. PR, §265.
100. VRP, Vol. 4, 641.
101. For a critique of Pippin that bears similarities to that presented here, see Allan Patten, *Hegel's Idea of Freedom*, which presents a "civic humanist" reading of Hegel's concept of freedom. But Patten's work, which responds to Pippin's earlier work, does not address the expressivist view of action that underlies *Hegel's Practical Philosophy*. It is also unclear how far it might support the constitutive view of Hegelian agency advanced in this book. See Allan Patten, *Hegel's Idea of Freedom* (Oxford: Oxford University Press, 1999), 27–42.
102. Habermas claims that Hegel "conceives the overcoming of subjectivity within the boundaries of a philosophy of subject." This characterization is largely correct, yet whereas for Habermas this effort entails a defect of Hegel's program, for Hegel himself it represents a strength. Jürgen Habermas, *The Philosophical Discourse of Modernity: Twelve Lectures*, trans. Frederick Lawrence (Cambridge, MA: MIT Press, 1987), 32.
103. PR, §33.
104. PR, §183.
105. PR, §§184–85.
106. Habermas, *Philosophical Discourse of Modernity*, 30.
107. PR, §259.
108. PR, §147.
109. PR, §260.
110. For a version of this position, see Hannah Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958). See also John G.A. Pocock, *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition* (Princeton, NJ: Princeton University Press, 1975).
111. Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Clarendon Press, 1997). See also Quentin Skinner, *Liberty Before Liberalism* (Cambridge: Cambridge University Press, 1997).
112. NL, 94.
113. EM, §552.
114. Honneth, *Struggle for Recognition*, 171ff.
115. Ernst Cassirer, *The Myth of the State* (New Haven, CT: Yale University Press, 1946), especially 263–76.
116. VNSW, §134.
117. PH, 343.
118. PH, 343.
119. EM, §552.
120. EM, §552. See also LPWH, 90.
121. LPR1, 463.

122. PR, 21.
123. EM, §552.
124. EM, §482.
125. EM, §552, modified.
126. Pippin, *Modernism as a Philosophical Problem*, 176.
127. Pippin, *Modernism as a Philosophical Problem*, 67.
128. Pippin, *Modernism as a Philosophical Problem*, 63.
129. PS, 493.
130. Pippin, *Modernism as a Philosophical Problem*, 165.
131. PR, §333.
132. PR, §340.
133. PR, §345.
134. PR, §333.
135. VNSW, §163.
136. VNSW, §118.
137. Thomas Pogge, "Cosmopolitanism and Sovereignty," in *Global Justice: Seminal Essays*, ed. Thomas Pogge and Darrel Moellendorf (St. Paul, MN: Paragon House, 2008), 355–90.
138. *Letters*, 64.
139. *Letters*, 64.
140. *Letters*, 179, translation slightly amended.
141. PR, 21. See also Erzsébet Rózsa, *Versöhnung und System. Zu Grundmotiven von Hegels praktischer Philosophie* (Munich: Wilhelm Fink Verlag, 2005).
142. Michael Theunissen, *Hegels Lehre vom absoluten Geist als theologisch-politischer Traktat* (Berlin: de Gruyter, 1970), 415.
143. Henry S. Harris, *Hegel's Development: Night Thoughts (1801–1806)* (Oxford: Oxford University Press, 1983), 194.
144. Cf. Pippin, *Hegel's Practical Philosophy*, 271n.
145. Kurt Rainer Meist, "Zur Rolle der Geschichte in Hegels System der Philosophie," *Hegel-Studien* 22 (1983): 29–48.
146. LPR3, 161 and 162n.
147. See Jürgen Habermas, "On Hegel's Political Writings," in *Theory and Practice*, 170–94.
148. "Address on the Tercentenary of the Submission of the Augsburg Confession," in PWN, 186–96.
149. Siep, *Anerkennung als Prinzip der praktischen Philosophie*, 274–7.
150. See Rolf-Peter Horstmann, "What Is Hegel's Legacy and What Should We Do with It?" *European Journal of Philosophy* 7, no. 2 (1999). The specific questions Horstmann raises about Hegel's legacy will be addressed later.
151. See Hans Friedrich Fulda, "The Rights of Philosophy," in *Hegel on Ethics and Politics*, ed. Robert B. Pippin and Otfried Höffe, trans. Nicholas Walker (Cambridge: Cambridge University Press, 2004), 21–48.
152. For an instructive discussion of some of the relevant issues, see Oscar Daniel Brauer, *Dialektik der Zeit. Untersuchungen zu Hegels Metaphysik der Weltgeschichte* (Stuttgart: Frommann-Holzboog, 1982), especially 186–91.
153. PR, 21.
154. LHP, Vol. 1, 54f.
155. Hegel famously makes this claim in the Preface to the *Philosophy of Right*. It is given more nuanced articulation in the "Introduction" to his *Lectures on the History of Philosophy*. See LHP, Vol. 1, 52.
156. LHP, Vol. 1, 55.
157. VRP, Vol. 1, 342f.

158. Hegel put the point rather emphatically: We know the content of the past “better than all earlier thinkers.” See *EGP*, 280.
159. Hence the claim “the latest, most modern and newest philosophy is the most developed, richest and deepest.” *LHP*, Vol. 1, 41.
160. *EM*, §337.
161. Browning, *Hegel and the History of Political Philosophy*, 2, 3, 9, 14.
162. *LHP*, Vol. 1, 46.
163. *LHP*, Vol. 1, 39.
164. Hans-Georg Gadamer, *Truth and Method*, 2nd rev. ed., rev. trans. Joel Weinheimer and Donald G. Marshall (New York: Crossroad, 1992), 168–69. To be sure, the affinities of Hegel and Gadamer should not be exaggerated. If Gadamer’s understanding of engagement with the past is based on a model of dialogue, Hegel’s account, committed to a notion of appropriative reworking, relies more on a concept of labor. See Remo Bodei, “Die ‘Metaphysik der Zeit’ in Hegels Geschichte der Philosophie,” in *Hegels Logik der Philosophie. Religion und Philosophie in der Theorie des Absoluten Geistes*, ed. Dieter Henrich and Rolf-Peter Horstmann (Stuttgart: Klett-Cotta, 1984), 79–98. For an account of Hegel’s historical hermeneutics that highlights affinities to Gadamer, see Paul Redding, *Hegel’s Hermeneutics* (Ithaca, NY: Cornell University Press, 1996).
165. Horstmann, “What Is Hegel’s Legacy?” 281.
166. Horstmann, “What Is Hegel’s Legacy?” 278.
167. Horstmann, “What Is Hegel’s Legacy?” 285.
168. Here I leave aside the broader question of the fruitfulness of interpretive approaches directed to authorial intentionality.
169. *Werke*, Vol. 18, 22.
170. Compare George Armstrong Kelly, “Hegel and ‘The Present Standpoint,’” in *Hegel’s Retreat from Eleusis* (Princeton, NJ: Princeton University Press, 1978).
171. Quentin Skinner, “The Idea of Negative Liberty,” in *Philosophy in History*, ed. Richard Rorty (Cambridge: Cambridge University Press, 1984), 202.
172. For a related analysis of Hegel’s contemporary significance, one focused on the phenomenon of social transformation, see Angelica Nuzzo, “Dialectic as Logic of Transformative Processes,” in *Hegel*, ed. Deligiorgi, 85–104.
173. Honneth, *Pathologies of Individual Freedom*, 7.
174. In this regard, the “study and organic unity” that Henry Harris discerns in the evolution of Hegel’s early writings may be seen in Hegel’s work as a whole. Henry S. Harris, *Hegel’s Development I: Toward the Sunlight (1770–1801)* (Oxford: Clarendon Press, 1972), 259. For a similar approach, see Rózsa, *Versöhnung und System*, 96–98.

NOTES TO CHAPTER 2

1. As he writes in his 1841 doctoral dissertation: “it is mere ignorance on the part of his [Hegel’s] pupils, when they explain one or the other determination of his system by his desire for accommodation and the like, hence, in one word, explain it in terms of morality.” *The Marx-Engels Reader*, ed. Richard Tucker, 2nd ed. (New York: Norton, 1978), 9.
2. Arnold Ruge, “Hegel’s ‘Philosophy of Right’ and the Politics of our Times,” in *The Young Hegelians: An Anthology*, ed. Lawrence Stepelevich (Cambridge: Cambridge University Press, 1983), 211–36.
3. See Karl-Heinz Ilting, “Hegel’s Concept of the State and Marx’s Early Critique,” in *The State and Civil Society: Studies in Hegel’s Political*

- Philosophy*, ed. Z.A. Pelczynski (Cambridge: Cambridge University Press, 1984), 93–113.
4. Tucker, ed., *The Marx-Engels Reader*, 118f. As he writes in his dissertation: Hegel's "apparent accommodation has its deepest roots in an inadequacy of or in an inadequate formulation of his principle itself." Marx and Engels, *Werke*, Vol. 2 (Berlin: Dietz, 1980), 64.
 5. Rudolph Haym, *Hegel und seine Zeit* (Hildesheim: Olm, 1957), 359. See Michael Theunissen, *Die Verwirklichung der Vernunft. Zur Theorie-Praxis-Discussion im Anschluß an Hegel* (Tübingen: Mohr, 1970), 2–15.
 6. Haym, *Hegel und seine Zeit*, 365.
 7. This is also the position of Karl-Heinz Ilting. See his Introduction to *VRP*, Vol. 1, 11, 39.
 8. See Konrad Bekker, *Marx' Philosophische Entwicklung, sein Verhältnis zu Hegel* (Zurich: Oprecht, 1940); Dieter Henrich, "Karl Marx als Schüler Hegels," in *Hegel im Kontext* (Frankfurt: Suhrkamp, 1972), 187–207; Lucio Colletti, *Marxism and Hegel*, trans. Lawrence Garner (London: New Left Books, 1973), 122; and Karl Korsch, *Marxism and Philosophy*, trans. Fred Halliday (London: New Left Books, 1970), 88. Cf. Jürgen Habermas, *Knowledge and Human Interests*, trans. Jeremy Shapiro (Boston: Beacon Press, 1971), 25–42.
 9. Compare Georg Lohmann, "Gesellschaftskritik und normativer Maßstab. Überlegungen zu Marx," in *Arbeit, Handlung, Normativität*, ed. Axel Honneth and Urs Jaeggi (Frankfurt: Suhrkamp, 1980), 234–99. For the Anglo-American discussion, see Steven Lukes, *Marxism and Morality* (Oxford: Oxford University Press, 1985).
 10. *ELW*, §§6, 9.
 11. See Marx and Engels, *Werke*, Vol. 17, 391–99.
 12. One of the first to interpret Hegel explicitly as a philosopher of immanent critique was Karl Rosenkranz in his 1870 *Hegel als deutscher Nationalphilosoph* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1973), 230. For more recent readings of Hegel along these lines, see Herbert Marcuse, *Reason and Revolution: Hegel and the Rise of Social Theory* (Boston: Beacon Press, 1960), Charles Taylor, *Hegel* (Cambridge: Cambridge University Press, 1975), 129ff; Seyla Benhabib in *Critique, Norm and Utopia*. Jürgen Habermas also interprets Hegel as a philosopher of immanent critique. However, he locates this dimension only in Hegel's writings prior to 1800, the year Hegel adopts a "speculative" approach to philosophy. Thenceforth, Hegel renounces immanent criticism in favor a "world-historically enlightened quietism" determined only to "comprehend what is." Habermas, *Theory and Practice*, 182; see also 130, 181. In this chapter, I argue that Hegel's mature philosophical theory not only does not disallow an account of immanent criticism but supplies tools needed for its proper formulation.
 13. *ELW*, §213. "When it is said that an art work is beautiful or an action is good, the objects in question are compared with what they ought to be, i.e., with their concept" (*ELW*, §171R).
 14. Lukács, *The Ontology of Social Being*, 47.
 15. Marcuse, *Reason and Revolution*, 11; see also 26, 51, 66. Marcuse is wrong to imply that Hegel construes reason and actuality synonymously. As a category of the concept of essence, reality is merely the externally constructed unity of concept and existence; it has not attained the rationality of the Idea, which posits its own unity: "The Idea has not merely the more general meaning of the true being, of the unity of concept and reality, but the more specific one of the unity of subjective concept and objectivity" (*SL*, 758, modified). Still, if Idea and Actuality are not identical, Marcuse

is correct to distinguish actuality from mere being, indeed to argue that Hegel's philosophy is "meaningless . . . without a grasp of the distinction between reality and actuality" (156).

16. *VRP*, Vol. 3, 727; Vol. 4, 923.
17. *SL*, 50.
18. In a lecture version of the *Philosophy of Right*, Hegel asserts: "What is rational becomes real and what is real becomes rational" (*VPRHe*, 51). This sheds light on Hegel's identification of reason and reality, but it should not be considered a correction of the putatively apologetic position Hegel is assumed to have advanced in the Preface to the *Philosophy of Right*. When understood in the context of Hegel's philosophy as a whole, "the original dictum already contains," in Yirmiahu Yovel's words, "the alleged correction." See "Hegel's Dictum That the Rational Is Actual and the Actual Is Rational," in *Konzepte der Dialektik*, ed. Werner Becker and Wilhelm Essler (Frankfurt: Klostermann, 1981), 113.
19. Karl Marx, *Critique of Hegel's Philosophy of Right*, trans. Annette Jolin and Joseph O'Malley (Cambridge: Cambridge University Press, 1970 [hereafter *Critique*]), 25.
20. *PRK*, 3.
21. Tucker, *Marx-Engels Reader*, 111.
22. *SL*, 836; *Werke*, Vol. 6, 569.
23. *SL*, 596; *Werke*, Vol. 6, 269.
24. *EN*, §246. Cf. *PS*, 491. See also Hans Friedrich Fulda, "Zur Logik der Phänomenologie von 1807," in *Materialien zu Hegels Phänomenologie des Geistes*, ed. Hans Friedrich Fulda and Dieter Henrich (Frankfurt: Suhrkamp, 1973), 391–433; Pierre-Jean Labarrière, *Structures et mouvement dialectique dans la Phénoménologie de l'esprit de Hegel* (Paris: Aubier, 1968), 215–42.
25. Louis Althusser, *Reading 'Capital,'* trans. Ben Brewster (New York: Pantheon, 1970), 126.
26. *PRK*, §32.
27. *PR*, §182A.
28. Hans-Friedrich Fulda, "Zur Theorietypus der Hegelschen Rechtsphilosophie," in *Hegels Philosophie des Rechts*, ed. Henrich and Horstmann, 409, 419.
29. *ELW*, §9.
30. *PR*, §33. See also Gerhard Dulckeit, *Rechtsbegriff und Rechtsgestalt. Untersuchungen zu Hegels Philosophie des Rechts und ihrer Gegenwartsbedeutung* (Berlin: Junker und Dünhaupt, 1936).
31. Marx, *Critique*, 55. Michael Rosen explicitly formulates this argument. While describing Hegel's account of the relationship of concept and existence as a species of immanent critique, Rosen nonetheless argues that Hegel employs the language of immanence in a highly Pickwickian sense: "we cannot understand [Hegel's] immanent critique as a universal rational procedure, for it operates on the presupposition that we have already reached (implicitly, at least) the 'standpoint of Science.' . . . Immanent critique . . . is immanent critique *within the system*. . . . [To be deemed a philosopher of immanent critique in the strict sense of the term, Hegel] needs to give us some reason to think that *Vorstellung* is inadequate in terms of its own aspirations, and not with respect to an external idea of philosophical cognition. See Michael Rosen, *Hegel's Dialectic and Its Criticism* (Cambridge: Cambridge University Press, 1981), 71, 60.
32. *PRK*, §2R.
33. *PR* §§2R, 31.

34. *SL*, 582–97. Charles Taylor has put the matter differently by distinguishing between the “subjective” and the “objective” or “ontological” concept. See Taylor, *Hegel* (Cambridge: University Press, 1975), 302–8. See also Michael Inwood, *Hegel* (London: Routledge & Kegan Paul, 1983), 170ff.
35. Michael Theunissen captured this well when describing Hegel’s view of human self-actualization: “man must not only correspond to *his* concept; he must correspond to *the* concept. He should attain reality not only for his humanness; he should realize reason itself.” See Michael Theunissen, “Begriff und Realität. Hegels Aufhebung des metaphysischen Wahrheitsbegriffs,” in *Seminar*, ed. Horstmann, 346.
36. *PS*, 21.
37. *EM*, §386.
38. *ELW*, §45.
39. *SL*, 614.
40. *PR*, §2R. See also *VRP*, Vol. 4, 82f.
41. *ELW*, §24A.
42. *EPC*, 275.
43. *ELW*, §§172, 213. According to Ernst Tugendhat, Hegel’s “objective” account of truth goes hand in hand with his determination to provide a justification of the existing political order. In truth, Hegel’s account is consonant with an attack on the unexamined assumptions and attitudes of everyday life from the perspective of a rational account of reality. See Ernst Tugendhat, *Self-Consciousness and Self-Determination*, trans. Paul Stern (Cambridge, MA: MIT Press, 1986), especially Lectures 13, 14.
44. *PRK*, §§2, 31.
45. *ELW*, §24R.
46. Marx, *Critique*, 18 (modified).
47. *ELW*, §45.
48. *ENW*, §133.
49. *SL*, 582; see also *ELW*, §160.
50. See Hans-Friedrich Fulda, “The Rights of Philosophy” in *Hegel on Ethics and Politics*, ed. Pippin and Höffe; Theunissen, *Die Verwirklichung der Vernunft*.
51. *ELW*, §95.
52. As Georg Lohmann writes in characterizing Marx’s position: “Proper to an immanent yet equally ‘authentic’ critique is always a transcending moment.” See Lohmann, “Gesellschaftskritik und normativer Maßstab,” 254.
53. Karl Marx, *Capital*, Vol. 3 (New York: International Publishers, 1967), 339f.
54. Karl Marx, *Capital*, Vol. 1 (New York: International Publishers, 1967), 542.
55. Marx, *Capital*, Vol. 3, 817.
56. Marx, *Critique*, 92.
57. Marx, *Capital*, Vol. 1, 81n, 84n, 537, 587n. See also Karl Marx, *The Poverty of Philosophy* (New York: International, 1963).
58. Marx, *Poverty of Philosophy*, 79.
59. Marx, *Capital*, Vol. 1, 81–82n.
60. Marx, *Poverty of Philosophy*, 33.
61. Marx, *Critique*, 118.
62. In this respect, Marx deems Hegel and Proudhon to be kindred spirits. See *The Poverty of Philosophy*, 107.
63. Marx, *Critique*, 55.
64. Marx, *Critique*, 92.
65. Marx, *Critique*, 76.

66. Marx, *Critique*, 91. For a discussion of the seminal significance of this argument for Marx's general critique of Hegel (including that advanced in his later writings), see Hans Friedrich Fulda, "These zur Dialektik als Darstellungsmethode (im 'Kapital von Marx')," *Hegel-Jahrbuch* (1974): 204–10.
67. Marx, *Critique*, 89 (modified). See Ernst Michael Lange, "Verein freier Menschen, Demokratie, Kommunismus," in *Ethik und Marx. Moralkritik und normativen Grundlagen der Marxschen Theorie*, ed. Emil Angehrn and George Lohmann (Königstein: Hain, 1986), 106ff.
68. See Rüdiger Bubner, "Logik und Kapital. Zur Methode einer 'Kritik der politischen Ökonomie,'" in *Dialektik und Wissenschaft* (Frankfurt: Suhrkamp, 1974), especially 68–72. See also Theunissen, *Sein und Schein*, particularly Chapter I.2 ("Kritische Darstellung"), 63–91; Michael Theunissen, "Krise der Macht. Thesen Zur Theorie des Dialektischen Widerspruchs," *Hegel-Jahrbuch* (1974): 318–29.
69. Compare Benhabib, *Critique, Norm, and Utopia*.
70. As Hans-Jürgen Krahll notes in characterizing Marx's dichotomous account of the relationship of essence and illusion: "it is not a positive concept of essence, but the essence is that which is nowhere positively existent." See Hans-Jürgen Krahll, "Bemerkungen zum Verhältnis von Kapital und Hegelscher Wesenslogik," in *Aktualität und Folgen der Philosophie Hegels*, ed. Oskar Negt (Frankfurt: Suhrkamp, 1971), 145.
71. Marx does present the creation of new needs as an actualization of an already existing potential, indeed the "re-integration or return of man to himself." But the potential in question is not one already implicit in bourgeois society. Characterizing the existing system of political economy as one that fully alienates man from himself, Marx argues that the creation of needs that foster genuine human self-actualization is perforce a transcendence of given conditions. He links the creation of truly human needs to "the true resolution of the conflict between existence and essence," yet adequation here consists not in elevating existing reality to its essence but in generating a reality that accords with an altogether different account of man's essence (Tucker, *Marx-Engels Reader*, 84). Marx acknowledges that capitalist society itself generates "new" needs, but these have nothing in common with the truly human needs that can be created only by surmounting existing social conditions. Capitalist society generates new needs by enticing individuals with a set of ever-changing and increasingly diversified consumer items. According to Marx, the acquisition of such items results in an obsessive preoccupation with money that is alienating in at least two respects. Not only must the individual concentrate on work to exclusion of all other activities; pursuit of economic gain engenders an instrumentalism and competitiveness that is at odds with man's communal nature. Bourgeois society generates new needs and new modes for their satisfaction, but it does so in a manner that further demonstrates why for Marx creation of genuine human needs entails a radical supersession of existing social reality (Tucker, *Marx-Engels Reader*, 93ff).
72. Karl Marx, *Grundrisse*, trans. Martin Nicholas (London: Penguin, 1973), 161.
73. Marx, *Grundrisse*, 712.
74. Marx, *Capital*, Vol. 3, 820. As Albrecht Wellmer observes: "It has to be asked whether one can speak of such [internal] contradiction, if the uncompensated appropriation of alien labor necessary for the production of surplus value conflicts neither with the principles of 'abstract right' nor those of the exchange of equivalents. It could be claimed that Marx evaluates civil society on a standard of justice that is not its own." Wellmer "Naturrecht und praktische Philosophie," in *Ethik und Marx*, ed. Angehrn and Lohmann, 230.

75. Tucker, *Marx-Engels Reader*, 15 (modified).
76. Tucker, *Marx-Engels Reader*, 636.
77. Albrecht Wellmer maintains that Marx's critique of political economy "makes sense only if one understands it as an *immanent* critique of bourgeois class society." By contrast, I claim that, given Marx's concept of essential contradiction, his critique of political economy is, *no lens volens*, intelligible only as a *transcendent* critique of bourgeois society. See Albrecht Wellmer, "Praktische Philosophie und Theorie der Gesellschaft. Zum Problem der normativen Grundlagen einer kritischen Sozialwissenschaften," in *Normen und Geschichte*, ed. Willi Oelmüller (Paderborn: Schöningh, 1979), 156.
78. Marx, *Capital*, Vol. 1, 586, emphasis added.
79. See Lohmann, "Gesellschaftskritik und normativer Maßstab."
80. Marx, *Capital*, Vol. 1, 19.
81. Tucker, *Marx-Engels Reader*, 42.
82. Georg Lukács, "The Role of Morality in Communist Production," in *Political Writings: 1919–1929*, ed. Rodney Livingstone (London: New Left Books, 1972), 48.
83. PRK §§11, 35f, 57.
84. EM §502.
85. LPWH, 114f.
86. LPWH, 99.
87. PRK §155.
88. EM §432. See also Lewis P. Hinchman, "The Origin of Human Rights: A Hegelian Perspective," *The Western Political Quarterly* 37, no. 1 (March 1984): 7–31; Steven B. Smith, *Hegel's Critique of Liberalism: Rights in Context* (Chicago: University of Chicago Press, 1989), particularly 57–97; Charles Taylor, "Atomism," *Philosophical Papers 2* (Cambridge: Cambridge University Press, 1985), 187–210.
89. Tucker, *Marx-Engels Reader*, 14.
90. LPWH, 104.
91. PRK, §§153, 145.
92. PRK, §258A.
93. "[N]o one is a free man unless he *understands* that what the state demands is also good." LPWH, 213; cf. PR, §§257, 259.
94. PRK, §260A; LPWH, 77.
95. See also LPWH, 100f.
96. See Rolf-Peter Horstmann, "The Role of Civil Society in Hegel's Political Philosophy," in *Hegel on Ethics and Politics*, ed. Pippin and Höffe, especially 222–32; Franz Rosenzweig, *Hegel und der Staat* (Berlin: Oldenbourg, 1920).
97. See Denise Souche-Dagues, *Logique et politique hégéliennes* (Paris: Vrin, 1983), 11–70.
98. PR, §153.
99. EM, §502.
100. PRK, §258.
101. EM, §502.
102. VNSW, §2.
103. PRK §1.
104. VRP, Vol. 1, 239f.
105. Thus the subtitle of the *Philosophy of Right*.
106. PRK, §57. See also VRP, Vol. 1, 239f.
107. GW, 8, 214, marginal note; see also LPWH, 98. Compare VRP, Vol. 4, 109.

108. DFS, 91 (translation modified).
 109. Marx, *Critique*, 134.
 110. Marx, *Critique*, 133.
 111. See Kurt Röttgers, *Kritik und Praxis. Zur Geschichte des Kritikbegriffs von Kant bis Marx* (Berlin: Walter de Gruyter, 1975), 262–66.
 112. Colletti, *Marxism and Hegel*, 104.
 113. See Rüdiger Bubner, “Logik und Kapital.”
 114. A related difficulty can be found where Marx substitutes the principle of labor for Hegel’s concept of spirit. First, Marx’s reliance on the principle of labor entails a theoretical instrumentalism that is incompatible with the aims of an emphatic concept of immanent critique. In a framework whose essential principle is *Geist* or absolute self-reflection, actualization of an intrinsic rationality is simultaneously a reflection on the rationality of that rationality. Coeval with the expression of an internal principle of reason is a transcendent meta-reflection on the principle itself. This self-referential dimension is unavailable to a conceptual framework based on labor or work. Focused on mastery of external reality, the work model cannot explain how actualization of an internal principle is also a reflection on the principle itself. Hence, expression of an internal logic precludes transcendent evaluation on that logic’s rationality, just as transcendent scrutiny recurs to an act of external reflection devoid of internal connection to the matter at hand. See Anton Leist, “Schwierigkeiten mit der Ideologiekritik,” in *Ethik und Marx*, ed. Angehrn and Lohmann, 58–79.
- The work paradigm is also problematic because it encourages a functional approach to normative rationality, an approach that is likewise alien to a transcendent account of immanent critique. This is evident when we compare Hegel and Marx’s respective accounts of the relationships of norms to modern social reality. In Hegel’s speculative theory of adequation, correspondence of norms to reality has an emphatically critical dimension. Existing norms are valid because they relate to the fundamental principle of modern political life, the principle of the autonomous personality. Because this concept can be fully realized only in a framework that surpasses egoistic bourgeois society, appeal to existing norms is perforce a radical critique of existing relations. Not so Marx. In a model based on a concept of work, norms are viewed in terms of their operational value. Existing norms are significant as tools not because they may criticize existing social relations but because they serve to maintain and stabilize them. In Marx’s functional account, justice is that which “corresponds, is appropriate, to its mode of production” (Marx, *Capital*, Vol. 3, 340). It is no coincidence, then, that Marx regards bourgeois principles of right and equality as mere ideological devices that legitimize conditions that express neither freedom nor equality. It is also no coincidence that, in his view, radical criticism requires appeal to norms that wholly transcend existing reality. Whereas for Hegel appeal to an absolute norm is simultaneously actualization of an existing condition’s own potential, for Marx it is that condition’s denial and, indeed, “de-actualization” (*Ent-wirklichung*). See Theunissen, “Krise der Macht. Thesen zur Theorie des dialektischen Widerspruchs”; Emil Angehrn, *Freiheit und System bei Hegel* (Berlin: de Gruyter, 1977), 54, 82ff. See also Georg Lohmann, “Zwei Konzeptionen von Gerechtigkeit in Marx’ Kapitalismuskritik,” in *Ethik und Marx*, ed. Angehrn and Lohmann, 174–94; Andreas Wildt, “Gerechtigkeit in Marx’ *Kapital*,” in *Ethik und Marx*, ed. Angehrn and Lohmann, 149–73.
115. Cf. Manfred Frank, *Der unendliche Mangel an Sein. Schellings Hegelkritik und die Anfänge der Marxschen Dialektik* (Frankfurt: Suhrkamp, 1975).

116. Jürgen Habermas, *The Theory of Communicative Action*, trans. Thomas McCarthy, 2 vols. (Boston: Beacon Press, 1984, 1987); Habermas, *Philosophical Discourse*.
117. Habermas, *Theory of Communicative Action*, Vol. 2, 338f. As he writes in *The Philosophical Discourse of Modernity*: "Marx did not escape the totality thinking of Hegel" (342; see also 304).
118. For a clarification, see Jürgen Habermas, "A Reply," in *Communicative Action: Essays on Jürgen Habermas's Theory of Communicative Action*, ed. Axel Honneth and Hans Joas, trans. Jeremy Gaines and Doris L. Jones (Cambridge, MA: MIT Press, 1991), 250–66.
119. Habermas, *Philosophical Discourse*, 365 (translation modified).
120. Compare Johannes Berger, "The Linguistification of the Sacred and the Delinguistification of the Economy," in *Communicative Action*, ed. Honneth and Joas, 165–80; Rüdiger Bubner, "Habermas' Concept of Critical Theory," in *Habermas: Critical Debates*, ed. John Thompson and David Held (Cambridge, MA: MIT Press, 1982), 42–56.
121. SL, 56. As he also writes: "To hold fast to the positive in its negative . . . is the most important feature in rational cognition" (SL, 834).
122. Milan Prucha, "Materialistische Gesellschaftsauffassung angesichts der aktuellen Zivilisationskrise," in *Arbeit, Handlung, Normativität*, ed. Honneth and Jaeggi, 318.
123. See Theunissen, *Sein und Schein*.
124. Cf. Michael Walzer, *Interpretation and Social Criticism* (Cambridge, MA: Harvard University Press, 1987), 80, 89, and *passim*.

NOTES TO CHAPTER 3

1. Cf. Karl-Heinz Ilting's Introduction to VRP, Vol. 1, 39, 111.
2. Konrad Bekker, *Marx' Philosophische Entwicklung*.
3. For a defense of the generative as against the reconstructive reading, see Rosen, *Hegel's Dialectic and Its Criticism*.
4. Theodor Adorno, *Hegel: Three Studies*, trans. Shierry Nicholsen Weber (Cambridge, MA: MIT Press, 1999) [hereafter TS], 138; see Theodor Adorno, *Negative Dialectics*, trans. E.B. Ashton (New York: Continuum, 1973) [hereafter ND], 17.
5. Adorno, TS, 44.
6. Theodor Adorno, *Against Epistemology: A Metacritique*, trans. Willis Domingo (Oxford: Basil Blackwell, 1982), 5.
7. Adorno, TS, 77.
8. Adorno, TS, 66, 68, trans. amended, emphasis added.
9. Cf. Hermann Schweppenhäuser, "Spekulative und negative Dialektik," in *Aktualität und Folgen der Philosophie Hegels*, ed. Negt, 85–97.
10. J.M. Bernstein, "Negative Dialectic as Fate: Adorno and Hegel," in *The Cambridge Companion to Adorno*, ed. Tom Huhn (Cambridge: Cambridge University Press, 2004), 19–50.
11. Theodor Adorno, *Minima Moralia: Reflections from Damaged Life*, trans. E.F.N. Jephcott (London: New Left Books, 1974) [hereafter MM] 43, 210.
12. Theodor Adorno, *Aspects of Sociology*, trans. John Viertel (Boston: Beacon Press, 1972), 191.
13. Theodor Adorno, *Prisms*, trans. Samuel and Shierry Weber (Cambridge, MA: MIT Press, 1981), 32.
14. Adorno, ND, 182.

15. The point is emphasized in *Dialectic of Enlightenment*, which pays special attention to the "intimate link between anti-Semitism and totality." See Max Horkheimer and Theodor Adorno, *Dialectic of Enlightenment*, trans. John Cumming (New York: Herder & Herder, 1972), 172.
16. Adorno, *ND*, 361.
17. Adorno, *ND*, 320.
18. Adorno, *MM*, 211.
19. Adorno, *MM*, 211.
20. Adorno, *ND*, 336.
21. Adorno, *MM*, 43, 50.
22. Adorno, *Prisms*, 30.
23. Adorno, *ND*, 5.
24. Adorno, *ND*, 142f.
25. Adorno, *ND*, 385.
26. Adorno, *ND*, 403f, 406.
27. Adorno, *MM*, 113.
28. Theodor Adorno, "Freudian Theory and the Pattern of Fascist Propaganda," in *The Essential Frankfurt School Reader*, ed. Andrew Arato and Eike Gebhardt (New York: Continuum, 1982), 137.
29. Adorno, *ND*, 147. See Martin Jay, *Marxism and Totality* (Berkeley: University of California Press, 1984), 263–66.
30. See Michael Theunissen, "Negativität bei Adorno," in *Adorno-Konferenz 1983*, ed. Ludwig von Friedeburg and Jürgen Habermas (Frankfurt: Suhrkamp, 1983), 41–65.
31. Adorno, *ND*, 146f.
32. Adorno, *ND*, 320.
33. Adorno, *ND*, 146.
34. Adorno, *ND*, 398.
35. Adorno, *ND*, 178. Cf. Habermas, *Theory of Communicative Action*, Vol. 1, 379.
36. See Theunissen, "Negativität bei Adorno."
37. Theodor Adorno, *Aesthetic Theory*, trans. Christian Lenhardt (London: Routledge & Kegan Paul, 1984), 175. See Albrecht Wellmer, "Adorno, Anwalt des Nicht-Identischen," in *Zur Dialektik der Moderne und Post-moderne* (Frankfurt: Suhrkamp, 1985), 149.
38. Max Horkheimer, "Foreword," in Martin Jay, *The Dialectical Imagination* (Boston: Little, Brown, 1973), xii.
39. Adorno, *MM*, 247.
40. See Stefan Breuer, "Adorno's Anthropology," *Telos* 64 (Summer 1985): 15–32; Albrecht Wellmer, "Truth, Semblance, Reconciliation," *Telos* 62 (Winter 1984–85): 97.
41. Adorno, *ND*, 122.
42. Cf. Martin Jay, *Adorno* (Cambridge, MA: Harvard University Press, 1984), 108.
43. Jürgen Habermas, "The Dialectics of Rationalization," *Telos* 49 (Fall 1981): 8.
44. Adorno, *ND*, 5.
45. See Theodor Adorno, "Introduction," in *The Positivist Dispute in German Sociology*, trans. Glynn Adey and David Frisby (New York: Harper, 1976), 23.
46. Adorno, *ND*, 146; see also 38.
47. Adorno, *ND*, 147. For a unique discussion of the "identitarian" aspect of Adorno's thought, see Gillian Rose, *The Melancholy Science: An Introduction to the Thought of Theodor W. Adorno* (New York: Columbia, 1978), 44–46.

48. Adorno, ND, 150.
49. "Only in the accomplished synthesis, in the union of contradictory moments, will their difference [concept and reality] be manifested. . . . [O]nly when they are the same do they become contradictory" (ND, 157).
50. Adorno, ND, 56.
51. Adorno, ND, 197.
52. Adorno, MM, 150. See also Adorno, ND, 406.
53. David Held, *Introduction to Critical Theory: Horkheimer to Habermas* (Berkeley: University of California Press, 1980), 382f; and Gillian Rose, *Melancholy Science*.
54. Adorno, ND, 400.
55. Theodor Adorno, "Resignation," *Telos* 35 (Spring 1978): 168.
56. Adorno, ND, 403.
57. Adorno, ND, 123.
58. Adorno, ND, 406.
59. Adorno, ND, 318.
60. Adorno, *Prisms*, 32.
61. Adorno, ND, 56f. See also Theodor Adorno, "Subject and Object," in *The Essential Frankfurt School Reader*, ed. Arato and Gebhardt, 502.
62. Adorno, ND, 167.
63. Adorno, ND, 147.
64. See, for example, Adorno, *Aesthetic Theory*, 79–83, 108–10.
65. Cf. Ute Guzzoni, "Hegels 'Unwahrheit.' Zu Adornos Hegel-Kritik," *Hegel-Jahrbuch* (1975): 242–46.
66. DFS, 83.
67. Adorno, ND, 141, 157, 188.
68. Adorno, ND, 43, 61.
69. Adorno, ND, 173.
70. *Werke*, Vol. 11, 535.
71. See Adorno, "The Experiential Content of Hegel's Philosophy," TS, 53–88.
72. *Werke*, Vol. 8, 14.
73. Adorno, *Aesthetic Theory*, 113.
74. Adorno, ND, 150 and 25; Adorno, TS, 4f; Adorno, *Aesthetic Theory*, 477.
75. Adorno, ND, 144, emphasis added.
76. Adorno, ND, 167.
77. Adorno, ND, 168.
78. Adorno, ND, 146.
79. Adorno, ND, 145.
80. Adorno, ND, 141.
81. Adorno, ND, 19.
82. Adorno, TS, 83.
83. Adorno, ND, 155. For the distinction between primary and secondary "potency," see 175.
84. Adorno, ND, 168.
85. Hans-Jürgen Krahel, "Bemerkungen zum Verhältnis von Kapital und Hegelscher Wesenslogik," in *Aktualität und Folgen der Philosophie Hegels*, ed. Negt, 141–53; Rüdiger Bubner, "'Logik' und 'Kapital'. Zur Method einer 'Kritik der politischen Ökonomie,'" in *Dialektik und Wissenschaft*.
86. Cf. Theunissen, *Sein und Schein*, particularly 63–91.
87. ELW, §381A.
88. Compare Lucio Colletti, "Hegel and the 'Dialectic of Matter,'" in *Marxism and Hegel*, 7–27.
89. EM, §483. More accurately, Hegel argues that, *together with the domain of subjective spirit*, objective spirit comprises finite spirit: "The first two parts of

- the doctrine of spirit embrace finite spirit. Spirit is the infinite Idea, and finitude here means the disproportion between concept and reality" (*EM*, §386).
90. *SL*, 129; *Werke*, Vol. 5, 139. See also *EM*, §§383A, 386.
 91. *SL*, 129.
 92. *SL*, 129.
 93. *ELW*, §24.
 94. *ELW*, §135A.
 95. *ELW*, §80A.
 96. *SL*, 750, modified.
 97. *PS*, 51f.
 98. *ELW*, §§220–22.
 99. *Werke*, Vol. 11, 535.
 100. *EN*, §246.
 101. *ELW*, §133.
 102. *SL*, 582–97. Charles Taylor has put the matter differently by distinguishing between the “subjective” and the “objective” or “ontological” concept. See Taylor, *Hegel*, 302–8. See also Inwood, *Hegel*, 170ff.
 103. Michael Theunissen, “Begriff und Realität. Hegels Aufhebung des metaphysischen Wahrheitsbegriffs,” in *Seminar*, ed. Horstmann, 346.
 104. *SL*, 143ff; *Werke*, Vol. 5, 156ff.
 105. On these two approaches, see Theunissen, “Begriff und Realität,” 324–359. In *Critique, Norm, and Utopia*, Seyla Benhabib distinguishes between the “politics of fulfillment” and the “politics of transfiguration.” For a discussion of the “transfigurative” dimension to Hegel’s rational “comprehension” of the real, see Raymond Plant, *Hegel: An Introduction*, 2nd ed. (Oxford: Basil Blackwell, 1983), 76–96.
 106. *Werke*, Vol. 19, §386Z.
 107. The finger of Adorno’s critique might more accurately be pointed, not at Hegel himself, but at the Hegelian-Marxism of Georg Lukács. While Lukács accepts Hegel’s *adaequatio* view of truth, his historical and materialist predilections dictate that he interpret it as a theory about reason immanent to reality. His social theory centers on the principle of totality—on an effort to surmount the opposition between an existent reason and an existent rationality. Truth denotes the process in which the actual subject of history—the proletariat—realizes itself in history, becoming the subject proper of *history*. Overcoming a dogmatic state of affairs does not justify transcendence of the immanent domain of social reality, a point Lukács makes in criticizing the positivist apotheosis of the given: “The desire to leave behind the immediacy of empirical reality . . . must not become an attempt to abandon immanent social reality” (*Hinausgehen über die Unmittelbarkeit der Empirie . . . zu keinen Versuch, über die Immanenz des gesellschaftlichen Seins hinauszugehen, steigern*). See Georg Lukács, *History and Class Consciousness*, trans. Rodney Livingstone (Cambridge, MA: MIT Press, 1971), 162. For Lukács, truth consists in the realization of a potential that, however distorted, is already present in existing arrangements. Not so for Hegel. Committed to the “idealist” tenet that “the finite has no veritable being,” Hegel rejects any notion of adequation that does not refer to an independent standard of rationality. With Adorno, Hegel holds that truth is an absolute principle, not one of sociohistorical totality. See Theunissen, *Hegels Lehre vom absoluten Geist*, 5; Martin Jay, “The Concept of Totality in Lukács and Adorno,” *Telos* (Summer 1977).
 108. As Hegel wrote in a 1795 letter to Schelling: “From the Kantian system and its highest completion I expect a revolution in Germany. It will proceed from principles that are present and that only need to be elaborated generally and applied to all hitherto existing knowledge” (*Letters*, 35).

109. Hegel described his despair in an 1810 letter to Windischmann (*Letters*, 561).
110. See the 1800 Introduction to *The Positivity of the Christian Religion*, in *ETW*, especially 167–77.
111. *FK*, 55. See Rüdiger Bubner, “Problemgeschichte und systematischer Sinn der ‘Phänomenologie’ Hegels,” *Dialektik und Wissenschaft*, 9–14.
112. See *EPC*, 275.
113. “In my scientific development, which started from the subordinate needs of man, I was inevitably driven toward science, and the ideals of my youth had to take the form of reflection and thus at once of a system” (*Letters*, 64).
114. Marcuse, *Reason and Revolution*, ix.
115. A 1795 letter to Schelling, *Letters*, 30.
116. Adorno, *MM*, 247.
117. *SL*, 137–50; see also *ELW*, §§94–95.
118. *SL*, 833.
119. Adorno, *MM*, 50.
120. *Werke*, Vol. 5, 164; *SL*, 149.
121. Adorno, *ND*, 385.
122. For a critique of Adorno’s negative dialectic on the grounds that it is not negative enough, see Michael Theunissen, “Negativität bei Adorno,” 61. For Hegel’s own critique of a “merely negative” dialectic, see *ELW*, §81A.
123. *Werke*, Vol. 19, 396f.
124. *PR*, §358.
125. Theodor Adorno, *The Jargon of Authenticity*, trans. Knut Tarnowski and Frederic Will (Evanston, IL: Northwestern University Press, 1973), 139.
126. Adorno, *ND*, 362.
127. Adorno, *ND*, 362.
128. Adorno, *ND*, 378.
129. Adorno, *MM*, 235.
130. Adorno, *ND*, 122.
131. Adorno, *MM*, 157.
132. Adorno, *ND*, 103f.
133. Adorno, *ND*, 285.
134. Adorno, *ND*, 365.
135. Adorno, “Subject and Object,” 500.
136. *PS*, 19. See also *SL*, 440f; *EM*, §382.
137. *SL*, 824.
138. Adorno, *ND*, 309.
139. *DFS*, 91.
140. *Werke*, Vol. 3, 19.
141. Adorno, *ND*, 316.
142. Robert Jay Lifton, *Death in Life: Survivors of Hiroshima* (New York: Random House, 1985), 541. Compare Edith Wyschogrod, *Spirit in Ashes: Hegel, Heidegger and Man-Made Mass Death* (New Haven, CT: Yale University Press, 1985).
143. See Barry Cooper, *The End of History: An Essay on Modern Hegelianism* (Toronto: University of Toronto Press, 1984), 327.
144. *SL*, 146.
145. *ELW*, §236; *SL*, 824.
146. *SL*, 835.
147. Adorno, *ND*, 402.
148. In *Reason and Revolution*, Marcuse advances an Aristotelian interpretation of Hegelian teleology. Compare Nicolai Hartmann, “Aristoteles und Hegel,” *Kleinere Schriften*, Vol. 2 (Berlin: de Gruyter, 1957), 250f.
149. *ELW*, §160A, Emphasis added.

150. SL, 835.
151. SL, 840.
152. SL, 843.
153. EM, §552.
154. EM, §382A, Emphasis added.
155. See Ludwig Siep, *Anerkennung als Prinzip der praktischen Philosophie*, 199.
156. SL, 842, 149.
157. SL, 841.
158. SL, 551.
159. Adorno, ND, 361.
160. ELW, §81.
161. ELW, §22.
162. FK, 57. See also PS, 455.
163. For a critique of Adorno on the grounds that he rehabilitates an “objectivistic ontology of nature,” see Michael Theunissen, *Gesellschaft und Geschichte. Zur Kritik der Kritischen Theorie* (Berlin: de Gruyter, 1969).
164. EM, §558f.
165. *Werke*, Vol. 13, 141f.
166. Cf. William Desmond, *Art and the Absolute* (Albany: State University of New York Press, 1986).
167. LHP, Vol. 3, 165 (modified).
168. PS, 3. See Otto Pöggeler, “Hegels Jenaer Systemprogramm,” in *Hegels Idee einer Phänomenologie des Geistes* (Freiburg: Alber, 1972).
169. Adorno, *Aesthetic Theory*, 274.
170. ELW, §24A. For Adorno’s position, see the second part of *Dialectic of Enlightenment*.
171. Cf. Habermas, *Philosophical Discourse of Modernity*.
172. See Benhabib, *Critique, Norm and Utopia*.
173. For Habermas’s critique, see *Theory of Communicative Action*, Vol. 1, 389ff; Habermas, “Theodor Adorno—The Primal History of Subjectivity—Self-Affirmation Gone Wild,” in *Philosophical-Political Profiles*, trans. Frederick Lawrence (Cambridge, MA: MIT Press, 1983), 99–111; Habermas, “The Entwinement of Myth and Enlightenment: Max Horkheimer and Theodor Adorno,” Chap 5, *Philosophical Discourse of Modernity*, 106–30.
174. PS, 19.

NOTES TO CHAPTER 4

1. Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. William Rehg (Cambridge, MA: MIT Press, 1996) [hereafter BFN].
2. PR, §3.
3. Habermas also explains the neglect of Hegel in the following way: “If I scarcely mention the name of Hegel . . . this also expresses my desire to avoid a model that set unattainable standards for us. . . . What could once be embraced in the concepts of Hegelian philosophy now demands a pluralistic approach that combined the perspectives of moral theory, social theory, legal theory, and the sociology and history of law.” Habermas, BFN, xxxix.
4. Habermas, BFN, 186.
5. Here I follow Habermas’s possibly one-sided characterization of Rousseau.
6. See Chapter 8 of this book, “Hegel’s Concept of Virtue.” For Machiavelli and modern political theory, see Quentin Skinner, “On Justice, the Common

- Good and the Priority of Liberty," in *Dimensions of Radical Democracy*, ed. Chantal Mouffe (London: Verso, 1992), 211–24.
7. PR, §141R.
 8. EM, §408.
 9. Hegel's concept of positive law, *Recht als Gesetz*, is found principally in PR, §§209–29.
 10. Habermas, *Theory of Communicative Action*, Vol. 2, 387.
 11. See Wilhelm R. Beyer, "Norm-Probleme in Hegels Rechtsphilosophie," *Archiv für Rechts-und Sozialphilosophie* 56 (1964): 561–80.
 12. Jürgen Habermas, "On the Internal Relation Between Law and Democracy," *European Journal of Philosophy* 3, no. 1 (April 1995): 12–20.
 13. PRK, §245. See Raymond Plant, "Hegel on Identity and Legitimation," in *State and Civil Society*, ed. Pelczynski (Cambridge: Cambridge University Press, 1984), 240.
 14. Habermas, *Theory of Communicative Action*, Vol. 2, 387.
 15. In this regard, it is perhaps telling that, more so than other contemporary democratic theorists (e.g., Ingeborg Maus), Habermas grants a larger role to the judiciary in preserving and nurturing deliberative democracy. See Habermas, *BFN*, 280.
 16. For a different account of Hegel's assessment of the limitations of positive law, see Paul Bockelmann, *Hegels Notstandslehre* (Berlin: de Gruyter, 1935), 42ff.
 17. PR, §212.
 18. See Peter Dews, "Law, Solidarity and the Tasks of Philosophy," in *Discourse and Democracy: Essays on Habermas's Between Facts and Norms*, ed. René von Schomberg and Kenneth Baynes (Albany: State University of New York Press, 2002), 165–84.
 19. PR, 21.
 20. Charles Taylor has advanced these types of argument. See Charles Taylor, "Hegel's Ambiguous Legacy for Modern Liberalism," *Cardozo Law Review* 10, nos. 5–6 (1989): 857–70; and Charles Taylor, "Cross-Purposes: The Liberal-Communitarian Debate," in *Liberalism and the Moral Life*, ed. Nancy L. Rosenblum (Cambridge, MA: Harvard University Press, 1989), 159–82.
 21. Habermas, *BFN*, 302.
 22. Albrecht Wellmer, "Bedingungen einer demokratischen Kultur," in *Gemeinschaft und Gerechtigkeit*, ed. Micha Brumlik and Hauke Brunkhorst (Frankfurt: Fischer, 1993), 173–96. Richard J. Bernstein has argued similarly from a Deweyan perspective. See Richard J. Bernstein "The Retrieval of the Democratic Ethos," *Cardozo Law Review* 17, nos. 4–5 (March 1996): 1127–46.
 23. Jürgen Habermas, "Postscript to *Faktizität und Geltung*," *Philosophy and Social Criticism* 20, no. 4 (1994): 147, *Between Facts and Norms*, 358, 418; see also Habermas, "Citizenship and National Identity: Some Reflections on the Future of Europe," *BFN*, Appendix 2.
 24. This point has been astutely made by Peter Dews in the essay already cited: "Law, Solidarity and the Tasks of Philosophy." Here we leave aside the question of whether Habermas may also beg the question when he relates a system of law to a lifeworld whose "rationalized" character itself is defined by validity claims expressive of the formal-pragmatic conditions of communication. On the general issue of the relationship of lifeworld and proceduralism, see J. M. Bernstein, *Recovering Ethical Life: Jürgen Habermas and the Future of Critical Theory* (London: Routledge, 1995).
 25. This point is especially clear as regards *moral* rules: "Universalist moralities are dependent on forms of life that are rationalized in that they make possible the prudent application of universal moral insights and support motivations

- from translating insights into moral action.” See Jürgen Habermas, *Moral Consciousness and Communicative Action*, trans. Christian Lenhardt and Shierry Nicholsen Weber (Cambridge, MA: MIT Press, 1990), 109.
26. Habermas, *BFN*, 282.
 27. Habermas, *BFN*, 152.
 28. Habermas, *BFN*, 282.
 29. Georgia Warnke, “Communicative Rationality and Cultural Values,” in *The Cambridge Companion to Habermas*, ed. Stephen K. White (Cambridge: Cambridge University Press, 1995), 135.
 30. Ingeborg Maus, “Liberties and Popular Sovereignty: On Jürgen Habermas’s Reconstruction of the System of Rights,” *Cardozo Law Review* 17, nos. 4–5 (March 1996): 829.
 31. Habermas, *BFN*, 268.
 32. *PR*, §29, translation amended.
 33. *PR*, §29.
 34. It may be noted that in earlier writings, Habermas advanced a notion of law that seemed to focus not just on procedural mechanisms but the “broader political, cultural, and social context” in which “[t]hey are embedded.” He called this law “as institution” rather than law “as medium.” “By legal institutions I mean legal norms that cannot be sufficiently legitimized through a positivistic reference to procedure. Typical of these are the bases of constitutional law, the principles of criminal law and penal procedure, and all regulation of punishable offenses close to morality (e.g. murder, abortion, rape, etc.). As soon as the validity of *these* norms is questioned in everyday practice, the reference to their legality no longer suffices. They need substantive justification, because they belong to the legitimate orders of the lifeworld itself and, together with informal norms of conduct, form the background of communicative action.” Although Habermas here adopts the type of dyadic approach to law foreign to Hegel’s position, his notion of law as institution does capture the sociocultural considerations that, for Hegel, are part of a comprehensive definition of right. See Habermas, *Theory of Communicative Action*, Vol. 2, 365f.
 35. See Miguel Giusti, *Hegels Kritik der modernen Welt* (Würzburg: Königshausen & Neumann, 1987), 178–85.
 36. *PR*, §29.
 37. See Bruno Liebrucks, “Recht, Moralität und Sittlichkeit bei Hegel,” in *Materialien zu Hegels Rechtsphilosophie*, Vol. 2, ed. Manfred Riedel (Frankfurt: Suhrkamp, 1975), 13–51.
 38. *PR*, §271; as he also terms it, “the political state proper and its constitution” (*der eigentlich politische Staat und seine Verfassung*) (*PR*, §267).
 39. *VNSW*, §163.
 40. *PR*, §274.
 41. *PR*, §274A.
 42. *PR* §274A
 43. *VNSW*, §134.
 44. *NL*, 116.
 45. *VNSW*, §134.
 46. See Sheldon S. Wolin, “Collective Identity and Constitutional Power,” in *The Presence of the Past: Essays on the State and the Constitution* (Baltimore, MD: Johns Hopkins University Press, 1989), 8–31.
 47. *NL*, 116.
 48. Heinz Kimmerle, “Die Staatsverfassung als ‘Konstituierung der absoluten sittlichen Identität’ in der Jenaer Konzeption des ‘Naturrechts,’” in *Hegels Rechtsphilosophie im Zusammenhang der europäischen Verfassungsgeschichte*,

- ed. Hans-Christian Lucas and Otto Pöggeler (Stuttgart-Bad Canstatt: Frommann-Holzboog, 1986), 129–48.
49. As he writes: “My reconstruction of the meaning of a legitimate legal order begins with the original resolution that any arbitrary group of persons must make if they want to constitute themselves as a legal community of free and equal members. Intending to legitimately regulate their life by means of positive law, they enter into a common practice that allows them to frame a constitution.” See Jürgen Habermas, “Reply to Symposium Participants,” *Cardozo Law Review* 17, nos. 4–5 (1996): 1504.
 50. *PR*, §§273f.
 51. VNSW, §134. In arguing that a constitution can and must be renewed, Hegel is obviously ascribing to political action something he denies to philosophy, for which a shape of life that has grown old “cannot be rejuvenated but only known” (*läßt sich nicht verjüngen, sondern nur erkennen*) (22, translation amended).
 52. For an overview of different concepts of constitutionalism, see E.-W. Böckenförde, “Geschichtliche Entwicklung und Bedeutungswandel der Verfassung,” in *Staat, Verfassung, Demokratie* (Frankfurt: Suhrkamp, 1991), 29–52.
 53. *PR*, §344.
 54. For an illuminating discussion of the general relationship between tradition and renewal in constitutional theory, one very similar to Hegel’s, see Wolin, “Contract and Birthright,” in *Presence of the Past*, 137–50. Hegel’s position also finds rearticulation in the legal hermeneutics of Ronald Dworkin, though Hegel would not accept, *inter alia*, Dworkin’s restriction of the interpretive process to the judiciary. For Habermas’s reception of Dworkin’s hermeneutic of law, see Habermas, *BFN*, 205–25.
 55. Frank Michelman, “Law’s Republic,” *The Yale Law Journal* 97, no. 8 (July 1988): 1493–1537.
 56. *PR*, §268, trans. amended.
 57. Cf. Harry Brod, *Hegel’s Philosophy of Politics: Idealism, Identity, and Modernity* (Boulder, CO: Westview Press, 1992), 121.
 58. *VRP*, Vol. 4, 641.
 59. *PR*, §265.
 60. *PR*, §298.
 61. Such contextualization is also in keeping with his account of the degree to which law is self-referential as regards its own institutionalization.
 62. Habermas, *BFN*, 184.
 63. Habermas, *BFN*, 129.
 64. See Jürgen Habermas, “Reconciliation Through the Public Use of Reason,” *Journal of Philosophy* 92, no. 3 (1995), especially 126ff. See also Thomas McCarthy, “Constructivism and Reconstructivism,” *Ethics* 104, no. 1 (October 1994).
 65. Habermas, *BFN*, 384.
 66. Jürgen Habermas, “Struggles for Recognition in the Constitutional State,” in Charles Taylor et al. *Multiculturalism: Examining the Politics of Recognition* (Princeton: Princeton University Press, 1994), 144.
 67. Thomas McCarthy, “Legitimacy and Diversity: Dialectical Reflections and Analytical Distinctions,” *Cardozo Law Review* 17, nos. 4–5 (1996): 1100.
 68. John Rawls, “Reply to Habermas,” *Journal of Philosophy* 93, no. 3 (March 1995): 164f.
 69. Habermas, “Reconciliation Through the Public Use of Reason,” 110.
 70. Habermas, “Postscript,” 43f.
 71. Jürgen Habermas, “Remarks on Discourse Ethics,” in *Justification and Application*, trans. Ciaran Cronin (Cambridge, MA: MIT Press, 1993), 88.

72. Habermas, *BFN*, 282.
73. An interesting illustration of this point can be found in Hegel's history of philosophy and in particular his account of the transition from a Greek to Christian worldview. Though the "Christian" principle of subjectivity makes its conceptual appearance already in Greek thought with the decline of the polis, the relationship of the Greek to the Christian period cannot be understood as merely the historical concretization of an existing principle. Rather, the realization process itself presupposes a process by which the conceptual categories are transformed and revalidated. See Brauer, *Dialektik der Zeit*, 186–91.
74. Frank Michelman, "Family Quarrel," *Cardozo Law Review* 17, nos. 4–5 (1996): 1175.
75. Jürgen Habermas, *The New Conservatism: Cultural Criticism and the Historian's Debate*, trans. Shierry Nicholsen Weber (Cambridge, MA: MIT Press, 1989), 261.
76. Habermas, "Struggles for Recognition in the Constitutional State," 122.
77. Habermas, *BFN*, 306.
78. In this respect, Hegel's notion of civic engagement resembles the "communal democracy" that Wolfgang Kersting juxtaposes to Habermas's idea of constitutional patriotism. What I argue here, though, is that what Kersting champions in opposition to a notion of constitutional patriotism is for Hegel a form of constitutional patriotism itself. See Wolfgang Kersting, "Verfassungspatriotismus, kommunitive Demokratie und die politische Vereinigung der Deutschen," in *Universalismus, Nationalismus und die Einheit der Deutschen*, ed. Petra Braitling and Walter Reese-Schäfer (Frankfurt: Fischer, 1991); and Wolfgang Kersting, "Verfassung und kommunitive Demokratie," in *Auf der Suche nach der gerechten Gesellschaft*, ed. Günther Frankenberg (Frankfurt: Fischer, 1994), 84–102.
79. Here Hegel would clearly disagree with Rawls, for whom the Supreme Court exemplifies the "public reason" central to constitutional politics. See John Rawls, *Political Liberalism* (New York: Columbia University Press, 1996), 231ff.
80. VNSW, §§131, 146. See Rolf Grawert, "Verfassungsfrage und Gesetzgebung in Preussen. Ein Vergleich der vormärzlichen Staatspraxis mit Hegels rechtsphilosophischen Konzept," in *Hegels Rechtsphilosophie*, ed. Lucas and Pöggeler, especially 294.
81. *PR*, §273.
82. A current version of this thesis has been formulated by Frank Michelman, "Can Constitutional Democrats be Legal Positivists? Or Why Constitutionalism?" *Constellations* 2, no. 3 (January 1996), especially 298–303.
83. VNSW, §134.
84. In this regard, Hegel would likely agree with Philip Selznick, who has characterized constitutionalism "as a style of decision. It is a way of upholding principles while recognizing the demands of a changing social reality. Constitutionalism provides a perspective of continuity and a resource for the future, but it also insists that each generation be its own master." See Philip Selznick, "The Ethos of American Law," in *The Americans: 1976*, ed. Irving Kristol and Paul Weaver (Lexington, MA: D.C. Heath, 1976), 222.
85. Bruce Ackerman, *We The People 1: Foundations* (Cambridge, MA: Harvard University Press, 1991).
86. From a Hegelian perspective as well, political jurisgenesis is "a constant, not an episodic, activity." See Michelman, "Law's Republic," 1523, 1525.
87. For a contemporary notion of parliamentary constitutionalism within a context of legal continuity, see Stephen Holmes and Cass Sunstein, "The Politics

- of Constitutional Revision,” in *Responding to Imperfection: The Theory and Practice of Constitutional Amendment*, ed. Sanford Levinson (Princeton, NJ: Princeton University Press, 1995), 275–306.
88. Habermas, *BFN*, 278, 281.
 89. Cf. Alasdair MacIntyre, *Whose Justice? Which Rationality?* (Notre Dame, IN: University of Notre Dame Press, 1988), 12.
 90. *VRP*, Vol. 4, 722ff.
 91. *PR*, §331R, amended. Nor is the recognition at stake merely a legal or formal one. Arguing that genuine international relations repose on “the mutual recognition of free national *individualities*” (emphasis added), Hegel adverts to a form of internal reciprocity directed to the cultural identity expressed in a nation’s constitution. See *EM*, §547. The application of the concept of recognition to Hegel’s account of international law is addressed in Chapter 10 of this book.
 92. *PR*, §187R.
 93. Habermas, *BFN*, 255.
 94. For a related attempt to fashion a normative theory more context-sensitive than Habermas’s, see Alessandro Ferrara, *Justice and Judgment: The Rise and the Prospect of the Judgment Model in Contemporary Political Philosophy* (London: Sage, 1999).
 95. Compare James Tully, *Strange Multiplicity: Constitutionalism in an Age of Diversity* (Cambridge: Cambridge University Press, 1995).

NOTES TO CHAPTER 5

1. John Rawls, *Political Liberalism* (New York: Columbia University Press, 1996) [hereafter *PL*].
2. *PL*, xxviii.
3. *PL*, xxvi.
4. *PL*, xvii.
5. *PL*, 144.
6. *PL*, xxvii.
7. *PL*, 11.
8. *PL*, 50.
9. *PL*, 202.
10. *PL*, 192.
11. *PL*, xvii.
12. *PL*, 250.
13. See *PL*, 378f.
14. *PL*, xxvi.
15. Compare, however, Joshua Cohen, “Moral Pluralism and Political Consensus,” in *The Idea of Democracy*, ed. David Copp et al. (Cambridge: Cambridge University Press, 1993), especially 287f.
16. Chantal Mouffe, “Democracy, Power, and the ‘Political,’” in *Democracy and Difference: Contesting the Boundaries of the Political*, ed. Seyla Benhabib (Princeton, NJ: Princeton University Press, 1996), 245–56.
17. *DFS*, 91, translation amended.
18. *DFS*, 91.
19. *PS*, 19, translation slightly amended.
20. John Rawls, *Theory of Justice* (Cambridge, MA: Harvard University Press, 1971) [hereafter *TJ*], 528.
21. Rawls, *TJ*, 527. Rawls explicitly takes up Hegel’s notion of associational pluralism in *The Law of Peoples*, where he explicates the type of consultation hierarchy he claims is acceptable for decent but nonliberal, non-democratic

societies. Here I leave aside consideration of Rawls' concept of a law of peoples, aspects of which will be addressed in Chapter 10; I also leave aside the question of whether Hegel may be invoked in explicating the idea of a consultation hierarchy. Here I simply note that what Rawls asserts about Hegel's associationalism does not seem to capture its proper significance. Hegel endorses associations not first and foremost to counteract the social atomism that flows from liberal individualism but because the interests of individuals, given the scope and scale of the modern state, would remain unrecognized and without effect were individuals expected to represent their interests directly in the political arena. See John Rawls, *The Law of Peoples* (Cambridge, MA: Harvard University Press, 1999), 72f.

22. PWK, 263.
23. PR, §265.
24. PR, §§252, 289A.
25. PR, §290.
26. This feature of Hegel's position, though still not fully recognized, was properly noted some time ago by Mary Follett: "true Hegelianism finds its actualized form in federalism." See Mary Follett, *The New State* (New York: Longmans, Green, 1920), 267.
27. For an instructive discussion of this matter, see Giuseppe Duso, *Der Begriff der Repräsentation bei Hegel und das moderne Problem der politischen Einheit* (Baden-Baden: Nomos Verlag, 1990).
28. In this respect he is opposed to the modern idea of representation: "For where the self is merely represented (*repräsentiert*) or imagined (*vorgestellt*), there it is not actual; where it is delegated (*vertreten*), it is not" (PS, 359, translation amended).
29. PR, §§311, 309. See also PR, §255.
30. PR, §309.
31. In this regard Hegel's position has affinities with that of Iris Young, who innovatively combines her account of a politics of group difference with a deliberative, neo-republican image of public life. See Iris Young, "Difference as a Resource for Democratic Communication," in *Democracy*, ed. David Estlund (Malden, MA: Blackwell, 2002), especially 226–31.
32. Immanuel Kant, *Anthropology from a Pragmatic Point of View*, trans. Mary Gregor (The Hague: Nijhoff, 1974), 12. See also Immanuel Kant, *Kritik der Urteilskraft* in *Immanuel Kant: Werke in sechs Bänden*, Vol. 5, ed. Wilhelm Weischedel (Frankfurt: Insel, 1957), 388ff.
33. Hannah Arendt, "Public Rights and Private Interests," in *Small Comforts for Hard Times*, ed. M. Mooney and F. Stuber (New York: Columbia University Press, 1977), 104. See also Margaret Canovan, *Hannah Arendt: A Reinterpretation of Her Political Thought* (Cambridge: Cambridge University Press, 1992), 206ff.
34. See also Seyla Benhabib, *Critique, Norm, and Utopia*, 348f.
35. PS, 264.
36. Michael Walzer, *What It Means to Be an American* (New York: Marsilio, 1992), 10.
37. NL, 94.
38. PL, 205.
39. PL, 217.
40. PL, 190.
41. PL, 54.
42. PL, 54.
43. It is a psychology "for expressing a certain political conception of the person and an ideal of citizenship" (PL, 87).

44. PL, xxiii.
45. PL, 43–46.
46. PL, 14. In his *Lectures on the History of Moral Philosophy* Rawls, with reference to Hegel, calls attention to the social rootedness of his account of political liberalism by appealing to the “public political culture,” failing thus to see that for Hegel it is the embedding of the public political culture itself that requires explanation. See John Rawls, *Lectures on the History of Moral Philosophy*, ed. Barbara Herman (Cambridge MA: Harvard University Press, 2000), 366f.
47. PR, §4.
48. PR, §133.
49. PR, §260.
50. For an insightful discussion of these issues, see Robert B. Pippin, “Hegel’s Ethical Rationality,” in *Idealism as Modernism: Hegelian Variations* (Cambridge: Cambridge University Press, 1997), 417–50.
51. EM, §552.
52. PR, §209; see also VRP, Vol. 4, 483.
53. Terry Pinkard argues similarly that the charge of abstractness Hegel directs against Kant is based on the claims that universal ethics is already a part of the modern cultural tradition and only as such was it spawned: “Hegel’s argument is that Kantian ethics can appear on the scene only when the claims of ‘Abstract Right’ and autonomy have made their *social* appearance.” See Terry Pinkard, *Hegel’s Phenomenology: The Sociality of Reason* (Cambridge: Cambridge University Press, 1994), 290.
54. PL, 44ff.
55. The phrase is that of Laurence Dickey, *Hegel: Religion, Economics, and the Politics of Spirit, 1770–1807* (Cambridge: Cambridge University Press, 1987), especially 1–32.
56. PR, §270.
57. Cited in L. Oeing-Hanhoff, “Hegels Deutung der Reformation,” *Hegel, l’esprit objectif, l’unité de l’histoire*, ed. Association des publications de la Faculté des lettres et sciences humaines (Lille: R Giard, 1970), 249.
58. PL, 175.
59. PL, xxv.
60. Compare Axel Honneth, whose work invokes Hegel in articulating the notion of a “formal conception of ethical life,” though in a manner somewhat more Kantian than what is sketched here. See Honneth, *Struggle for Recognition*, especially 171–79.
61. “Ethical life is the concept of freedom that has become the existing world and the nature of self-consciousness.” PR, §142. For a general discussion of these issues, see Albrecht Wellmer, “Bedingungen einer demokratischen Kultur,” in *Gemeinschaft und Gerechtigkeit*, ed. Brumlik and Brunkhorst.
62. PL, 233.
63. PR, §211.
64. PR, §213.
65. PR, §30.
66. VNSW, §134.
67. PL, xxviii.
68. PL, 197n. For an extended discussion of the relationship of pluralism, political liberalism, and tragic conflict, see J. Donald Moon, *Constructing Community: Moral Pluralism and Tragic Conflicts* (Princeton, NJ: Princeton University Press, 1993).
69. PR, §193.
70. NL, 104.

71. See Christoph Menke, "Liberalismus im Konflikt: Zwischen Gerechtigkeit und Freiheit," in *Gemeinschaft und Gerechtigkeit*, ed. Brumlik and Brunkhorst, 218–43. See also Menke's *Tragödie im Sittlichen: Gerechtigkeit und Freiheit nach Hegel* (Frankfurt: Suhrkamp, 1996).
72. Hegel, G.W.F. *Aesthetics: Lectures on Fine Art*, Vol. 1, trans. T.M. Knox (Oxford: Clarendon Press, 1998), 54f.
73. *PH*, 278, translation amended.

NOTES TO CHAPTER 6

1. Taylor, *Hegel*. See also Taylor, *Hegel and Modern Society*; and Taylor, *Sources of the Self: The Making of the Modern Identity* (Cambridge, MA: Harvard University Press, 1989), especially 368–90.
2. Seyla Benhabib, *Critique, Norm, and Utopia*; Martin Jay, *Marxism and Totality*; Charles E. Larmore, *Patterns of Moral Complexity* (Cambridge: Cambridge University Press, 1987); Sabina Lovibond, *Realism and Imagination in Ethics* (Minneapolis: University of Minnesota Press, 1983); Eugene Lunn, *Marxism and Modernism: An Historical Study of Lukács, Brecht, Benjamin and Adorno* (Berkeley: University of California Press, 1982), 28–32; John H. Smith, *The Spirit and Its Letter: Traces of Rhetoric in Hegel's Philosophy of Bildung* (Ithaca, NY: Cornell University Press, 1988). In some writings, Jürgen Habermas has seconded the expressivist reading, while on other occasions he has been more critical. For the favorable, see Habermas, *Philosophical Discourse of Modernity*, 75–82. For the critical, see Jürgen Habermas, "A Reply to My Critics," in *Habermas: Critical Debates*, ed. Thompson and Held, 224; and Jürgen Habermas, "Questions and Counterquestions," in *Habermas and Modernity*, ed. Richard Bernstein (Cambridge, MA: MIT Press, 1985), 209. For a recent reaffirmation of the expressivist reading, see Pippin, *Hegel's Practical Philosophy*, especially Chapter 6.
3. Another way breaking down an notion of Hegelian expressivism—in terms of "narrow" or "broad" as it relates to linguistic and extra-linguistic expression, see Michael Forster, "Hegel and Some (Near) Contemporaries: Narrow or Broad?" in *Das Interesse des Denkens: Hegel aus heutiger Sicht*, ed. Wolfgang Welsch and Klaus Vieweg (Munich: Wilhelm Fink Verlag, 2003), 161–90.
4. For one of the few to emphasize this dimension of Hegel's position, see Michael Rosen, *Hegel's Dialectic and Its Criticism*, 122–42. See more recently, Erzsébet Rózsa, "Subjektivitätsproblematik und Identitätsprobleme in Hegels Rechtsphilosophie," in *Hegels Konzeption praktischer Individualität* (Paderborn, Germany: Mentis, 2007), 102–20.
5. Taylor, *Sources of the Self*, 374. For Taylor's discussion of subjective expressivism, see *Hegel*, 16ff.
6. *LPWH*, 47.
7. *ELG*, §60.
8. *Werke*, Vol. 14, 129.
9. See Michael Theunissen, "Produktive Innerlichkeit," *Frankfurter Hefte* 29 (November–December 1984): 103–10.
10. *PS*, 490.
11. *ELG*, §60A, translation modified.
12. *LPWH*, 51, translation modified.
13. *PRK*, §21.
14. *PRK*, §22.

15. PS, 14.
16. SL, 37.
17. See Angehrn, *Freiheit und System bei Hegel*, 291–406.
18. *Werke*, Vol. 16, 151.
19. *Werke*, Vol. 16, 197f. See also EM, §385A.
20. See Edith Düsing, “Zum Verhältnis von Intelligenz und Wille bei Fichte und Hegel,” in *Psychologie und Anthropologie oder Philosophie des Geistes*, ed. Franz Hespe and Burkhardt Tuschling (Stuttgart: Frommann-Holzboog, 1991), 124.
21. See Taylor, *Sources of the Self*, 374.
22. LPWH, 48, modified.
23. SL, 37.
24. ELW, §§235, 163.
25. PS, 18.
26. SL, 841.
27. Charles Taylor, “Hegel and the Philosophy of Action,” in *Hegel’s Philosophy of Action*, ed. Stepelevich and Lamb.
28. Pippin, *Hegel’s Practical Philosophy*. In her book *Critique, Norm, and Utopia*, Seyla Benhabib has also followed Charles Taylor in advancing an expressivist reading of Hegel’s concept of action. Her view also merits attention; however, because her interpretation is the context of a critique of Hegel, we can postpone consideration of it until later. See Benhabib, *Critique, Norm, and Utopia*, 84ff. For a book-length treatment of Hegel’s concept of action, see Michael Quante, *Hegel’s Concept of Action*, trans. Dean Moyar (Cambridge: Cambridge University Press, 2004). Since Quante presents Hegel’s action theory “as a discipline of theoretical philosophy” and so does “not thematize questions in political philosophy and ethics” (4), his work will receive little attention here.
29. Pippin, *Hegel’s Practical Philosophy*, 147.
30. PR, §121ff.
31. PR, §113.
32. EM, §503.
33. PR, §119.
34. EM, §505.
35. PR, §§124, 134.
36. PR, §130.
37. PR, §129.
38. PR, §114A.
39. PR, §130.
40. PR, §125.
41. PR, §131R.
42. PR, §112.
43. PR, §113.
44. PR, §112.
45. PR, §33.
46. PR, §114A.
47. PR, §136A.
48. For a useful discussion of many of the issues associated with Hegel’s concept of conscience, see Allen Speight, “Hegel on Conscience and the History of Moral Philosophy,” in *Hegel: New Directions*, ed. Deligiorgi, 17–33.
49. PR, §137.
50. PR, §137.
51. PR, §137.
52. PS, 385.

53. For articulation of these two dimensions of conscientious agency, the determinative and the actualizing, see *VPR* Vol.1, 287.
54. *PR*, §128.
55. *EM*, §503, *PR*, §137.
56. Francesca Menegoni concludes her fine essay on Hegel's theory of action by asserting that in the discussion of morality, where action is thematized, Hegel concerns himself "not with the essence of action itself but its moral quality and thus the moral quality of what is performed through action." The claim in this book is that, for Hegel, action itself, at least in its most developed form, is a quintessentially moral activity. See Francesca Menegoni, "Elemente zu einer Handlungstheorie," in *G.W.F. Hegel: Grundlinien der Philosophie des Rechts*, ed. Ludwig Siep (Berlin: Akademie Verlag, 1997), 144f.
57. *PS*, 386.
58. *PR*, §113.
59. *EM*, §503.
60. *PR*, §136.
61. *PR*, §138.
62. *VRP*, Vol. 1, 287.
63. *PR*, §128.
64. *PR*, §138.
65. *VRP*, Vol 1, 287.
66. *PR*, §138.
67. *ELG* §112. Slightly amended.
68. *PS*, 388.
69. Instructive here is Michael Hardimon's concept of "reflective identification" that he formulates to characterize Hegel's understanding of social membership. See *Hegel's Social Philosophy: The Project of Reconciliation* (Cambridge: Cambridge University Press, 1994), 166.
70. *PS*, 388.
71. *PR*, §260
72. *PS*, 397.
73. In the *Encyclopedia* "Phenomenology" he calls this an "affirmative knowledge of itself in another self" (*EM* §436).
74. *EM*, §436. Emphasis added. For an instructive discussion of this concept, see Robert R. Williams, *Hegel's Ethics of Recognition* (Berkeley: University of California Press, 1997), 88–91.
75. *EM*, §436
76. *EM*, §436A
77. *PR*, §265.
78. Pippin, *Hegel's Practical Philosophy*, 215.
79. Pippin, *Hegel's Practical Philosophy*, 215.
80. *PS*, 112.
81. *SL*, 835. For a sophisticated discussion of these issues, see Hans-Friedrich Fulda, "Hegels Dialektik als Begriffsbewegung und Darstellungsweise," in *Seminar: Dialektik in der Philosophie Hegels*, ed. Rolf-Peter Horstmann, especially 153–58.
82. *PS*, 112; *SL*, 834f.
83. *PS*, 110, emphasis added.
84. Pippin, *Hegel's Practical Philosophy*, 213.
85. Compare Terry Pinkard, "Virtues, Morality and Sittlichkeit: From Maxims to Practices," *European Journal of Philosophy* 7, no. 2 (1999): 221.
86. Hegel, *PR*, §270.
87. *PR*, §268.

88. Manfred Baum, "Common Welfare and Universal Will in Hegel's *Philosophy of Right*," in *Hegel on Ethics and Politics*, ed. Pippin and Höffe, 124–49.
89. Benhabib, *Critique, Norm and Utopia*. In his *The Philosophical Discourse of Modernity*, Habermas sees a connection between expressivism and productivism in Marxism's materialistic appropriation of Hegel, but not necessarily in Hegel's thought itself.
90. For an instructive overview of some of the important issues associated with Hegel's notion of productive activity, see Guy Planty-Bonjour, "Hegel's Concept of Action as Unity of Poiesis and Praxis," in *Hegel's Philosophy of Action*, ed. Stepelevich and Lamb, 19–30.
91. PR, §114A.
92. VNSW, §59. For a discussion of Hegel's action theory in the context of the tradition of practical philosophy, see Miguel Giusti, "Bemerkungen zu Hegels Begriff der Handlung," *Hegel-Studien* 22 (1987): 68–71.
93. EM, §503. Here, Henning Ottmann's comment is instructive: "Hegel taught a philosophy that still sought to preserve as a unity that later was for the most part sacrificed at the altar of the new God of work, namely, the unity of labor and praxis." See Henning Ottmann, "Arbeit und Praxis bei Hegel," *Hegel-Jahrbuch* (1977): 28.
94. Giusti, "Bemerkungen zu Hegels Begriff der Handlung," 68–71.
95. For a statement of the claim that Hegel's productive-based conception of action entails support for an instrumental understood account of social organization (reflected in the forms of administrative rationality identifiable with Hegel's account of the bureaucracy), see Benhabib, *Critique, Norm, and Utopia*, 95–101.
96. JS, 186 (emphasis added); see also PR, §7A.
97. See Otto Pöggeler, "Das Menschenwerk des Staates," in *Mythologie der Vernunft*, ed. Christoph Jamme and Helmut Schneider (Frankfurt: Suhrkamp, 1984), 175–225. In this essay, Pöggeler considers Hegel's distinction between the "work of humanity" and "the miserable work of men."
98. Taylor, *Hegel*, 3–49; and Taylor, *Sources of the Self*, 368–90. See also Lunn, *Marxism and Modernism*, 28–32.
99. FN, 65.
100. SEL, 146.
101. Habermas, *Philosophical Discourse of Modernity*, 45–50.
102. The distinction between pragmatic and expressive approaches derives from M.H. Abrams. For an application of the pragmatic interpretation to Hegel, see Dickey, *Hegel*, 267f.
103. PS, 19.
104. Taylor, *Hegel*, 18.
105. DFS, 91.
106. PR, §257.
107. EM, §514.
108. DFS, 94.
109. Lovibond, *Realism and Imagination in Ethics*.
110. Taylor, *Hegel*, 168–170; 191f.
111. In its linking of the doctrine of expressivism to an account of shared social practices, Lovibond's position has affinities to that of Pippin previously detailed. Yet whereas Pippin established this link via an explication of the conditions for subjective agency, Lovibond does so—and in this respect she is classifiable an "objective" expressivist—though analysis of existing life contexts.
112. Angehrn, *Freiheit und System bei Hegel*, 122n.
113. This is the expression of Peter Rohs, *Form und Grund* (Bonn: Bouvier, 1969).
114. SL, 591.

115. *PM*, 330. See also *EL*, §45.
116. *EL*, §238ff. One commentator who has accentuated this dimension of Hegel's critique of Kant is Eugène Fleischmann; see "Hegels Umgestaltung der Kantischen Logik," *Hegel-Studien* 2 (1965): 181–207.
117. *PR*, §4.
118. *PR*, 10.
119. See Karl-Heinz Ilting, "The Structure of Hegel's 'Philosophy of Right,'" in *Hegel's Political Philosophy*, ed. Z.A. Pelczynski (Cambridge: Cambridge University Press, 1971), 92.
120. See Karl-Heinz Ilting, "Liberale Demokratie und 'sittlicher' Staat," *Archiv für Geschichte der Philosophie* 69, no. 1 (1986): 2–21.
121. *PR*, §57. It may be true that Hegel defines the individual will in the essentialist terms that violate Larmore strictures on substantive political theorizing. Yet Hegel's particular definition of the essence of right—the autonomous, self-determining personality—is presented not as a denial of liberal individual but a clarification of what is presupposed in theory of individual rights—that individual should be treated as ends and never as means (*PR*, §36). See Steven B. Smith, "What is 'Right' in Hegel's *Philosophy of Right*," *American Political Science Review* 83, no. 1 (March 1989): 3–18.
122. This at least is the view of the mature Hegel. For a discussion of an alternative position advanced by Hegel in his early writings, see Axel Honneth, "Moral Development and Social Struggle: Hegel's Early Social-Philosophical Doctrine," in *Cultural-Political Interventions in the Unfinished Project of Enlightenment*, ed. Honneth et al., trans. Barbara Fultner (Cambridge, MA: MIT Press, 1992), 197–218.
123. *PR*, §71.
124. See Ludwig Siep, "Intersubjektivität, Recht und Staat in Hegels 'Grundlinien der Philosophie des Rechts'" in *Hegels Philosophie des Rechts*, ed. Henrich and Horstmann, 255–76.
125. *PR*, §§137, 268.
126. *PR*, §268.
127. John Rawls, "Justice as Fairness: Political Not Metaphysical," *Philosophy and Public Affairs* 14, no. 3 (Summer 1985): 232n.
128. *VPRHe*, 227.
129. *PR*, §268.
130. See Chapter 8 in this book.
131. Larmore, *Patterns of Moral Complexity*, 99.
132. *PR*, §276.
133. *PR*, §147.
134. See also Michael Wolff, "Hegel's Organicist Theory of the State: On the Concept and Method of Hegel's 'Science of State,'" in *Hegel on Ethics and Politics*, ed. Pippin and Höffe, 291–322; Ludwig Siep, "Hegels Theorie der Gewaltenteilung," in *Praktische Philosophie im Deutschen Idealismus* (Frankfurt: Suhrkamp, 1992).
135. Taylor, *Hegel*, 27.
136. Taylor, *Sources of the Self*, 384.
137. Taylor, *Hegel*, 22–29, 350–55. For a judicious study of Hegel's philosophy of nature—one emphasizing Hegel's greater affinity to Kant than to Baader, Goethe, or Schelling, see Gerd Buchdahl, "Hegel's Philosophy of Nature and the Structure of Science," in *Hegel*, ed. Michael Inwood (Oxford: Oxford University Press, 1985), 110–136.
138. *EN*, §248A.
139. *EN*, §248.
140. *EN*, §247; *EM*, §381A.

141. *EM*, §381.
142. *VRP*, Vol. 1, 239.
143. As he writes in *DFS*, Hegel seeks to develop “a philosophy that will recompense nature for the mishandling that it suffered in Kant’s and Fichte’s system” (83).
144. *Werke*, Vol. 11, 384.
145. *EM*, §384.
146. *Ibid.*
147. Taylor, *Sources of the Self*, 385–89.

NOTES TO CHAPTER 7

1. Hobbes, *Leviathan*, ed. Richard Peters (New York: Colliers, 1962), Ch. 20.
2. *PR*, §256R2.
3. Thomas Hobbes, *De Corpore*, ed. F. Tönnies (New York: Colliers, 1962), i, 1, 8. For Hobbes, we know with certainty not that which ostensibly exists *in* things, but only our creations, only “those things whose generation depends on the will of men themselves.” See Thomas Hobbes, *De Homine*, ed. Bernard Gert (New York: Doubleday, 1972), x, 4.
4. *PS*, 3, 43. See Otto Pöggeler, “Die Verwirklichung der Vernunft,” *Hegels Idee einer Phänomenologie des Geistes*.
5. *LHP*, Vol. 1, 316.
6. *NL*, 56.
7. *NL*, 63.
8. *NL*, 122.
9. *NL*, 64.
10. Hobbes, *Leviathan*, chap. 29.
11. Hobbes, *Leviathan*, Author’s Preface.
12. See Louis Roux and Ghislaine Chanavat, “Die Staatsauffassung bei Hobbes und Hegel,” *Der Staat* 17, no. 1 (1978), 16ff.
13. C.B. MacPherson, *The Political Theory of Possessive Individualism* (Oxford: Oxford University Press, 1962).
14. *NL*, 64.
15. *NL*, 63.
16. Rüdiger Bubner, “Dialog und Dialektik,” in *Zur Sache der Dialektik* (Stuttgart: Reclam, 1980), 148.
17. Jacques Taminiaux, *Dialectic and Difference*, ed. James Decker and Robert Crease (Atlantic Highlands, NJ: Humanities Press, 1985), 28.
18. *LHP*, Vol. 1, 237.
19. In the 1817 Foreword to the *Encyclopaedia*, Hegel greets the “youthful strivings of the new epoch, . . . which have unfolded in the realm of science (*Wissenschaft*) as in that of politics” (*Werke*, Vol. 8, 12). Cf. Manfred Riedel, “Framework and Meaning of ‘Objective Spirit’: A Conceptual Change in Political Philosophy,” in *Between Tradition and Revolution*, 5f.
20. See Rüdiger Bubner, “Moralität und Sittlichkeit—die Herkunft eines Gegensatzes,” in *Moralität und Sittlichkeit*, ed. Wolfgang Kuhlmann (Frankfurt: Suhrkamp, 1986), p. 68ff.
21. *LHP*, Vol. 3, 459.
22. *LHP*, Vol. 3, 457f.
23. *ELW*, §60.
24. *ELW*, §54. It is true that in the *Critique of Pure Reason*, Kant does allow for a purely theoretical account of self-conditioned autonomy or, as he calls it, “absolute spontaneity.” Immanuel Kant, *Critique of Pure Reason*, trans. Norman

Kemp Smith (London: MacMillan, 1929), A446. The notion of external causation gives rise to “the idea of a spontaneity which can begin to act of itself, without requiring to be determined to action by an antecedent cause in accordance with the law of causality” (A533). Still, Kant holds that the notion of absolute spontaneity itself attains full validity only in its practical employment. While the idea of speculative freedom is theoretically *conceivable*, it lacks objective validity. It serves merely as a regulative ideal for a knowledge whose objectivity requires reference to the conditioned realm of spatiotemporal experience. Only with moral action does a merely “transcendent” freedom assume determinate or “immanent” reality. Immanuel Kant, *Critique of Practical Reason*, trans. L.W. Beck (Indianapolis: Bobbs-Merrill, 1956), 3. Only with a concept of reason capable of providing for its own reality can one secure the objectivity of a concept that otherwise remains a mere possibility.

25. *LHP*, Vol. 3, 457 (modified).
26. Aristotle, *Nicomachean Ethics*, Vol. 1, 10; *Metaphysics*, A, 1 in *The Basic Works of Aristotle*, ed. Richard McKeon (New York: Random House, 1966).
27. *NL*, 57.
28. Kant, *Critique of Practical Reason*, 4.
29. *ELW*, §53. See Bernard Lypp, “Über die Wurzeln dialektischer Begriffsbildung in Hegels Kritik an Kants Ethik,” in *Seminar*, ed. Horstmann, 295–315.
30. *NL*, 83. “Kant’s philosophy is sublime inasmuch it asserts the conformity or commonality (*Gemäßsein*) of duty and reason” (*PR*, §135R).
31. *NL*, 76. For Hegel’s critique of the formalism in Kantian ethics see *PR*, §§133–35; *EL*, §54, *LHP*, Vol. 3, 458–61, *NL*, 75–83; *PS*, 256–62.
32. *LHP*, Vol. 3, 459.
33. *LHP*, Vol.3, 432.
34. *ELW*, §54.
35. See Lukács, *Ontology of Social Being*, 1. See also Dieter Henrich, “Der Begriff der sittlichen Einsicht und Kants Lehre vom Faktum der Vernunft,” in *Kant: Zur Deutung seiner Theorie von Erkennen und Handlung*, ed. Gerold Prauss (Cologne: Kiepenheuer & Witsch, 1973).
36. *NL*, 69f.
37. *LHP*, Vol. 3, 458.
38. In this respect, Hegel’s distinction between Hobbes’s “empiricism” and Kant’s “formalism” should not be stylized, as it often is, as one between form and content. For one thing, Hobbes’s position is in some respects more formal and “abstract” than Kant’s. While Hobbes sought to incorporate concrete experience into his political thought, he remained committed to an empiricist notion of experience, one presuming that experience can have reality without conceptual mediation. His notion of experience is therefore more removed from reality than is that of Kant, who acknowledged the necessity of concepts for experiential objectivity.

Of course, Kant is, for Hegel, a more explicitly formal thinker than Hobbes. But formalism as such is never the object of Hegel’s criticism. For Hegel, things have reality only in virtue of their form. He remains committed to the classical idealist doctrine, *forma dat esse rei*. His criticism of Kant is directed not at formalism itself but at an abstract or empty formalism that fails to articulate conceptually the material assumptions it presupposes and entails. Against Kant, Hegel champions, not substantive considerations per se, but a theory of “infinite” or “absolute form” able to construe substantive considerations as a formal product, one that systematically conjoins reality and reason, being and thought. See *SL*, 589–95.

39. *EL*, §54; cf. *PR*, §§7, 27.
40. *Werke*, Vol. 4, 205
41. *PR*, §8.
42. *PR*, §21; *VRP*, Vol. 4, 102. See, further, Manfred Baum, "Common Welfare and Universal Will in Hegel's *Philosophy of Right*," in *Hegel on Ethics and Politics*, ed. Pippin and Höffe, especially 125–32.
43. *ELW*, §54.
44. *LHP*, Vol. 3, 474, modified.
45. See *DFS*, 94.
46. *LHP*, Vol. 3, 474.
47. *LHP*, Vol. 3, 462.
48. See *LHP*, Vol. 3, 467.
49. Michael Wolff, "Hegel's Organicist Theory of the State: On the Concept and Method of Hegel's 'Science of the State,'" in *Hegel on Ethics and Politics*, ed. Pippin and Höffe, 291–322 and Siep, "Hegels Theorie der Gewaltenteilung," *Praktische Philosophie im Deutschen Idealismus*.
50. *SEL*, 145.
51. "A final cause," Hobbes writes, "has no place in such things as have sense and will" (*De Corpore*, Vol. 4, 132).
52. *DFS*, 83.
53. Immanuel Kant, *The Metaphysical Principles of Virtue*, trans. James Ellington (Indianapolis, IN: Bobbs-Merrill), 36.
54. *EL*, §60.
55. *LHP*, Vol. 3, 462.
56. *LHP*, Vol. 3, 463.
57. *ELW*, §60.
58. *FK*, 118.
59. *Letters*, 30.
60. H.S. Harris, "The Young Hegel and the Postulates of Practical Reason," in *Hegel and the Philosophy of Religion*, ed. Darrel Christensen (The Hague: Nijhoff, 1970). See also Klaus Düsing, "Die Rezeption der Kantischen Postulatenlehre in den frühen philosophischen Entwürfen Schellings und Hegels," in *Das älteste Systemprogramm. Studien zur Frühgeschichte des deutschen Idealismus*, ed. Rüdiger Bubner (Bonn: Bouvier, 1973), 53–90.
61. *Letters*, 35.
62. *Mythologie der Vernunft*, ed. Jamme and Schneider, 11.
63. *Letters*, 41.
64. Letter to Schelling of January 1795, *Letters*, 32.
65. *Mythologie der Vernunft*, 11.
66. *PR*, §§129–35.
67. *DFS*, 159.
68. *FK*, 63.
69. *DFS*, 114, 81.
70. *EL*, §60.
71. *EM*, §469A.
72. *ELW*, §469.
73. *FK*, 94.
74. *ELW*, §234.
75. *SL*, 820.
76. *SL*, 820.
77. *SL*, 820.
78. See Johann Heinrich Trede, "Mythologie und Idee," *Hegel-Studien: Beiheft* 9 (1973): 172.

79. PR, 10.
80. For further discussion of these issues, see Brauer, *Dialektik der Zeit* and Michael Theunissen, *Negative Theologie der Zeit* (Frankfurt: Suhrkamp, 1991), 16–21.
81. EM, §481.
82. Practical philosophy is deficient because it “still lacks the moment of the *theoretical Idea*” (SL, 821).
83. Ulrich Claesges, “Legalität und Moralität in Hegels Naturrechtschrift,” in *Der Idealismus und seine Gegenwart* ed. Ute Guzzoni et al. (Hamburg: Felix Meiner, 1976), 69f.
84. See Höhle, *Hegels System*, Vol. 2, 425. In a different context Karl-Otto Apel notes the way in which Hegel’s theory, more effectively than Kant’s, permits “the cognitive grasp of moral phenomena.” See Karl-Otto Apel, “Kant, Hegel and the Contemporary Question Concerning the Normative Foundations of Morality and Right,” in *Hegel on Ethics and Politics*, ed. Pippin and Höffe, 58.
85. See Ludwig Siep, “Praktische Philosophie und Geschichte beim Jenaer Hegel,” in *Praktische Philosophie im Deutschen Idealismus*.
86. Habermas, *Theory and Practice*, 182.
87. PS, 7.
88. SL, 533.
89. SL, 821.
90. PR, §3R.
91. NL, 67f, 128f.
92. Hegel makes the point in a different way, one that harks back to his praise for Kant’s highest good: “The unification of freedom and necessity is produced not through nature but through freedom” (VRP, Vol. 1, 239).
93. PR, §256R, emphasis added.
94. PR, §256.
95. Haym, *Hegel und seine Zeit*.
96. For instance, Rüdiger Bubner: “Rationalität, Lebensform und Geschichte,” in *Rationalität*, ed. Herbert Schnädelbach (Frankfurt: Suhrkamp, 1984), 198–235.
97. For instance, Pinkard, “Virtues, Morality, and *Sittlichkeit*,” 217–38.
98. This is particularly the view of Bubner (previous note), who regards Hegel’s theory of Objective Spirit as an antipode and antidote to the scientific tendencies typifying the tradition of modern practical philosophy extending from Hobbes to Kant and Fichte.

NOTES TO CHAPTER 8

1. See, however, Adriaan Peperzak, “Hegels Pflichten- und Tugendlehre,” *Hegel-Studien* 17 (1982): 97–117; Otto Pöggeler, “L’éthique dans la philosophie pratique de Hegel,” *Laval théologique et philosophique* 37 (October 1981): 259–81; Allen Wood, *Hegel’s Ethical Thought*, pp. 214ff; and Joshua D. Goldstein, *Hegel’s Idea of the Good Life : From Virtue to Freedom* (Dordrecht: Springer, 2006).
2. LPWH, 69.
3. PR, §141.
4. LHP, Vol. 2, 204.
5. VRP, Vol. 4, 403.
6. ETW, 214.
7. VNSW, §156.

8. *ETW*, 156.
9. *VRP*, Vol. 1, 190; cf. *EM*, §516.
10. *SEL*, 147; *NL*, 114f.
11. *PR*, §267f.
12. *PRK*, §150.
13. *Werke*, 7, §150N.
14. *ETW*, 154.
15. *NL*, 115.
16. *PR*, §153.
17. *VRP*, Vol. 4, 403.
18. *NL*, 115.
19. *VRP*, Vol. 4, 403.
20. *PR*, §150R.
21. *VRP*, Vol. 2, 552.
22. *NL*, 113.
23. *JS*, 234n.
24. *LHP*, Vol. 2, 93.
25. Klaus Düsing, "Politische Ethik bei Plato und Hegel," *Hegel-Studien* 17 (1985), particularly 120–45.
26. *VRP*, Vol. 4, 403.
27. Alasdair MacIntyre, *After Virtue*, 2nd ed. (Notre Dame, IN: University of Notre Dame Press, 1984), 135.
28. Joachim Ritter therefore errs in arguing that for Hegel "the universal sphere and basis of ethical conduct is . . . the Aristotelian mean 'between an excess and deficiency.'" See Ritter, *Hegel and the French Revolution*, 174. See also Wood, *Hegel's Ethical Thought*, 215.
29. *VRP*, Vol. 4, 404; *PR*, §150R. Compare MacIntyre, *After Virtue*, 236.
30. Cf. David B. Wong, "On Flourishing and Finding One's Identity in Community," *Midwest Studies in Philosophy* 13 (1988): 324–41.
31. Hegel already begins to question appeals to human nature in the 1800 "Revision to the Beginning" of *The Positivity of the Christian Religion*, where he claims that "[t]he general concept of human nature is no longer adequate" to assess the positivity of a religion (*ETW*, 169).
32. *VRP*, Vol. 3, 487f.
33. *VNSW*, §10. See J. Ritter, *Hegel and the French Revolution*, 151–77.
34. *EM* §516.
35. *PR*, §150.
36. *NL*, 102.
37. *ETW*, 159ff.
38. See Walter Jaeschke, "Early German Idealist Reinterpretation of the Quarrel of the Ancients and Moderns," *Clio* 12, no. 4 (1983): 313–31.
39. *Werke*, Vol. 3, 170. Hegel stated the matter dramatically by referring to the emergence of a new form of "infinite grief"—not the historical one associated with the passion of Christ, but the metaphysical or "speculative" one defining modernity's now irreversible sundering of homologies that the ancient world, if only regulatively, took for granted. See *FK*, 190f; see also *SEL*, 146.
40. *NL*, 55.
41. For an effort to view Hegel's ethical thought as "a rather Aristotelian variety of ethical naturalism," see Wood, *Hegel's Ethical Thought*, 12 and *passim*.
42. For a different interpretation of Hegel's move from positivity to bifurcation, one regarding it as an effort to deny rather than address the spirit of modernity, see Habermas, *Philosophical Discourse of Modernity*, particularly 41–44.

43. *PR*, §185.
44. *PR*, §124.
45. *VNSW*, §§132, 156.
46. *VNSW*, §132.
47. *VNSW*, §156.
48. *PR*, §268R.
49. Such privatist tendencies, Hegel claims, were already evident in ancient Greece, which witnessed an incipient emergence of the concept of subjective individualism not accommodated in existing morality. The potentially corrosive effect of such subjective aspirations might have been offset by a transformed practical philosophy, which “sought aid from that very longing itself.” Yet the preeminent theorists of the time did not adopt this course. Plato, for instance, simply contraposed the notion of substantive political life to individual subjectivity. “Plato, in his *Republic*, presents the substance of ethical life in its ideal beauty and truth; but he cannot come to terms with the principle of self-subsistent particularity, which had suddenly overtaken Greek ethical life in his time, except by setting up his purely substantial state in opposition . . .” (*PR*, §185R). In doing so, Plato’s thought merely presented a mirror image of the Greek ethical life. Unable directly to address the needs of the age, he gave aid to the “destructive force” he sought to conquer. Plato’s work already reveals the paucity of a republicanism that fails to accommodate the right of “the free infinite personality,” the superior principle of the modern age (*PR*, 20). See also *LHP*, Vol. 2, 98, 114f; *JS*, Vol. 3, 240f.
50. *DFS*, 156.
51. The difficulties confronting a modern concept of public virtue parallel those of a modern metaphysics, whose difficulties Hegel related when describing the aims of his *Science of Logic*. This is “a work which, belonging to the modern world, is confronted by a profounder principle, a more difficult subject matter and a material richer in compass” than those confronted by Plato in writing the *Republic*—a work that could assume the unity of thought and being. See *SL*, 42.
52. *Werke*, Vol. 17, 342f.
53. See “Virtue and the Way of the World,” *PS*, 228–35.
54. *PS*, 233.
55. *PS*, 234, modified.
56. *PS*, 234.
57. *PS*, 234.
58. *PS*, 234.
59. *PS*, 234.
60. *PM*, 404.
61. *PS*, 231.
62. *PS*, 232.
63. *PH*, 451; see also “The English Reform Bill,” in *PWK*, 325–26.
64. *PS*, 355ff; *PR*, §§5, 258.
65. *Werke*, Vol. 12, 533. See also *PS*, 360.
66. *PH*, 450–51; *PR*, §258.
67. *VRP*, Vol. 4, 656f; cf. *PR*, § 273R; *VPRHe*, 235. For a discussion of Hegel’s “politics of virtue,” see Steven B. Smith, *Hegel’s Critique of Liberalism*, 91–97.
68. See, for instance, *PH*, 445ff.
69. *LPH*, Vol. 3, 389, modified.
70. *JS*, 236ff.
71. “The German Constitution,” in *PWK*, 220f.
72. *JS*, Vol. 3, 236ff. See also *VPRHe*, 255f.

73. Otto Pöggeler, "Hegel et Machiavel: Renaissance Italienne et Idéalisme Allemand," *Archives de Philosophie* 41 (1978): 435–67; Christoph Jamme, "Hegel als Advokat Machiavellis," *Deutsche Zeitschrift für Philosophie* 7 (1990): 629–38.
74. PH, 403.
75. LHP, Vol. 3, 146. At most one can say, with Klaus Düsing, that for Hegel Machiavellianism represents "the basis for a new political ethic, *one still to be explicated*" ("Politische Ethik bei Plato und Hegel": 135n, emphasis added). Compare Pöggeler, "Hegel et Machiavel."
76. See, for example, Düsing, "Politische Ethik bei Plato und Hegel," 141ff; and Wood, *Hegel's Ethical Thought*, 214–16.
77. PR, §150.
78. PR, §§153, 151.
79. PR, §150R.
80. SEL, 148f.
81. VRP, Vol. 4, 404.
82. SEL, 155.
83. PR, §150R.
84. Cf. Adriaan Peperzak, "The Foundations of Ethics According to Hegel," *International Philosophical Quarterly* 23 (1983): 349–65. See also his "Hegels Pflichten- und Tugendlehre," 107.
85. VNSW, §156.
86. PR, §150R.
87. VPRHe, 125.
88. JS, 245.
89. NL, 114.
90. SEL, 149–50, 153–56; NL, 114.
91. SEL, 155.
92. PRK, §251.
93. PR, §252.
94. EM, §516; PR, §253R. See also SEL, 150.
95. PR, §207; JS, 245.
96. VNSW, §107.
97. PR, §253.
98. VRP, Vol. 3, 710.
99. SEL, 153, modified.
100. SEL, 149, modified.
101. VNSW, §121.
102. Steven B. Smith, "Hegel and the French Revolution: An Epitaph for Republicanism," *Social Research* 56, no. 1 (Spring 1989): 253. Smith rightly notes what for Hegel was the historical falsity of any revival of a republicanism based, as was the classical version, either on direct involvement in civic affairs or the sacrifice of private interests for the public good. But, for Hegel, the inadequacy of ancient republicanism demonstrated not the inadequacy of republicanism itself, but the need for its modern reformulation, which (I argue in the following) he undertook by reconstructing and elaborating on the modern concept of rights. In his important book on Hegel, Smith properly focuses on the centrality of rights in Hegel's political thought. My argument is that the contextualized concept of rights Smith ascribes to Hegel not only can but must include a republican component. For Smith's arguments against a Hegelian conjunction of rights and republican virtue, see *Hegel's Critique of Liberalism*, 128f, 237ff. For a more recent challenge to a republican reading of Hegel, see Pippin, *Hegel's Practical Philosophy*. For an account of Hegel as a civic humanist, see Patten, *Hegel's Idea of Freedom*.

103. Kant, *The Metaphysical Principles of Virtue*, 19.
104. See J.G.A. Pocock, "Virtue, Rights, and Manners: A Model for Historians of Political Thought," in *Virtue, Commerce, and History: Essays on Political Thought and History* (New York: Cambridge, 1985), 41.
105. PR, §§11, 35.
106. EM, §502.
107. JS, 197.
108. LPWH, 114f.
109. VNSW, §2.
110. EM, §502.
111. PRK, §258.
112. PR, §155.
113. PR, §261R.
114. LPWH, 99.
115. PR, §260.
116. VPRHe, 208.
117. PRK, §257R.
118. PR, §21. Little coincidence also that Hegel uses the term *Tapferkeit* rather than *Mut* to characterize the valor associated with republican virtue. Like its Greek cognate *thymos*, *Mut* is translated as physical bravado (PR, §150n) and denotes the natural passion common to men and animals. By contrast, *Tapferkeit* or "*wissende Tapferkeit*" expresses the cognitive form of civil courage central to rights-based patriotism. Public engagement is not an instinctive act but derives from reflection on the conditions for individual rights and liberties. See Dickey, *Hegel*, 220–27.
119. VRP, Vol. 4, 631.
120. PR, §137.
121. PR, §258.
122. PR, §268.
123. VPRHe, 227.
124. SEL, 150.
125. PR, §261.
126. Alexis de Tocqueville, *Democracy in America*, ed. J.P. Mayer, trans. George Lawrence (New York: Harper & Row, 1966), 236.
127. de Tocqueville, *Democracy in America*, 237.
128. de Tocqueville, *Democracy in America*, 237f.
129. de Tocqueville, *Democracy in America*, 236.
130. PR, §260.
131. VNSW, §107.
132. VRP, Vol. 1, 326f.
133. PR, §§151, 268A.
134. PR, §4. Manfred Riedel, "Nature and Freedom in Hegel's *Philosophy of Right*," in *Hegel's Political Philosophy*, Pelczynski, 136–50.
135. Compare Michael Wolff, "Hegel's Organicist Theory of the State: On the Concept and Method of Hegel's 'Science of the State,'" in Pippin and Höffe, *Hegel on Ethics and Politics*, 291–322.
136. PR, §276.
137. PR, §263A; §157.
138. PR, §270.
139. PR, §260.
140. PR, §260.
141. PR, §257.
142. EM, §514.
143. PR, §257.

144. *EM*, §541.
145. *VNSW*, §156.
146. *PR*, §268, emphasis added.
147. *PR*, §255.
148. *PR*, §256. As Joseph O'Malley observes, Hegel's "'political sentiment' is essentially knowledge, a complex social-political consciousness and self-consciousness, which animates the state as organism and effects its universal end." See Joseph O'Malley, "Hegel on Political Sentiment," *Zeitschrift für philosophische Forschung* 41 (1987): 76f.
149. *LHP*, Vol. 2, 98.
150. *PR*, §147.
151. *PR*, §21.
152. *PRK*, §147.
153. *SL*, 22.
154. *PR*, §268.
155. *PR*, §269.
156. *VRP*, Vol. 4, 641.
157. *LHP*, Vol. 1, 412f. See Udo Rameil, "Sittliches Sein und Subjektivität: Zur Genese des Begriffs der Sittlichkeit in Hegels Rechtsphilosophie," *Hegel-Studien* 16 (1981): 123–62.
158. *EM*, §513.
159. *PR*, §§257, 268R.
160. *PR* §268.
161. *PR*, §268.
162. *PR*, §265.
163. *EM*, §516.
164. See Karl-Heinz Ilting, "Hegel's Concept of the State and Marx's Early Critique," in *State and Civil Society*, ed. Pelczynski, 103f.
165. *PR*, §147.
166. *VRP*, Vol. 4, 642.
167. *VRP*, Vol. 4, 400.
168. *PR*, §132R.
169. See Ludwig Siep, "The 'Aufhebung' of Morality in Ethical Life," in *Hegel's Philosophy of Action*, ed. Stepelevich and Lamb, 149f.
170. *VRP*, Vol. 4, 400.
171. *PR*, §268.
172. *VRP*, Vol. 3, 487.
173. *PR*, §147R.
174. *VRP*, Vol. 4, 642.
175. *VRP*, Vol. 4, 642.
176. *PR*, §268.
177. John Dunn, "'Trust' in the Politics of John Locke," in *Rethinking Modern Political Theory* (Cambridge: Cambridge University Press, 1985), 41.
178. Merold Westphal, "Hegel's Radical Idealism: Family and State," in *State and Civil Society*, ed. Pelczynski, particularly 88f.
179. *EM*, §516.
180. Compare Niklas Luhmann, "Familiarity, Confidence, Trust: Problems and Alternatives," in *Trust: Making and Breaking Cooperative Relations*, ed. Diego Gambetta (Oxford: Basil Blackwell, 1988), 94–107. On occasion, Hegel does equate trust with family relations (*PR*, §203). It is telling, though, that the concept in question is not the cognitive trust central to a rights-based political order, but the "gläubigen Zutrauen" associated with unquestioned acceptance of religious and patriarchal authority (*PR*, §203A).
181. *VRP*, Vol. 1, 326.

182. Niklas Luhmann, *Trust and Power* (Chichester: John Wiley & Sons, 1979), 70.
183. *PR*, §265.
184. *PR*, §255A.
185. *PR*, §273R. In this respect, Hegel dismisses “a republican form of government” only inasmuch as it lacks internal “differentiation” (*PR*, §279R).
186. *PR*, §314. See also *VNSW*, §132.
187. *PRK*, §315A.
188. *PR*, §301A.
189. *VRP*, Vol. 4, 631.
190. In defining civic virtue in terms of a common sense, Hegel reaffirms the position advanced in the 1790s by Friedrich Schiller. The differences are telling, however. Whereas Schiller adopts a concept of common sense that links the individual with the species as a whole, Hegel restricts it to a relationship between individuals and existing political institutions, to that which pertains to the *Volksgeist*. Likewise, while Schiller bases common sense (*Gemeinsinn*) on a public concept of human nature, Hegel’s common sense (*Menschenverstand*) emerges precisely from recognizing the modern distinctions between man and (political) citizen. It is no coincidence that Hegel roots public sentiment not in a “*Gemeingeist*,” but in a concept of spirit based on the differentiation of one and all, “*der all-gemeinene Geist*” (*VNSW*, §§129f, 132). For Schiller’s position, see Friedrich Schiller, *On the Aesthetic Education of Man*, eds. and trans. Elizabeth M. Wilkinson and L.A. Willoughby (Oxford: Clarendon Press, 1982), especially *Letter*, §27.
191. Hence Hegel’s denial that representatives must adhere to a binding mandate, *mandat impératif*. Because the function of legislative deliberation is to shape rather than reflect a public sentiment, the relation of representatives “to their electors is not that of agents with a commission or specific instructions.” Instead, representatives must be free “to deliberate in common and reciprocally instruct and convince each other” (*PRK*, §309). Only in this way can public debate create a public sphere. Appreciation of this point sheds light on Hegel’s simultaneous affirmation and critique of public opinion, *die öffentliche Meinung*. Hegel appeals to legislative debate rather than to popular opinion, not out of statist sentiments, but because a true *Öffentlichkeit* and indeed a genuine *Volksgeist* only attain reality through structures which formally mediate societal interests with the ends of public life. Compare Andrew Arato, “A Reconstruction of Hegel’s Theory of Civil Society,” *Cardozo Law Review* 10, nos. 5–6 (March–April, 1989): 1363–88.
192. *VNSW*, §154.
193. *VRP*, Vol. 4, 619.
194. Guy Planty-Bonjour, “Du régime représentatif selon Sieyès à la monarchie constitutionnelle selon Hegel,” in *Hegels Rechtsphilosophie*, eds. Lucas and Pöggeler, especially 27–33.
195. *VNSW*, §136.
196. *PR*, §253.
197. *PR*, §308.
198. *PR*, §289.
199. *PR*, §303R.
200. *PR*, §308.
201. *PR*, §311.
202. *PR*, §311R.
203. Adrian Oldfield, *Citizenship and Community: Civic Republicanism and the Modern World* (London: Routledge, 1990), 105.

204. VNSW, §141.
205. VRP, Vol. 1, 327.
206. VNSW, §141.
207. O'Malley, "Hegel on Political Sentiment," 81.
208. VRP, Vol. 1, 327.
209. Even the claim that political sentiment takes the form of trust in others does not undermine active citizenship. It is rather recognition that in a functionally differentiated society, one's own public activity depends on the confidence that in their own respective domains others are likewise "active for the whole, . . . working for the same idea" (*ibid.*).
210. VNSW, §136.
211. Otto Pöggeler, "Hegels Begegnung mit Preußen," in *Hegels Rechtsphilosophie*, ed. Lucas and Pöggeler, 345ff.
212. JS, 239.
213. *Letters*, 64.
214. See most notably Joachim Ritter, *Hegel and the French Revolution*. Among Anglo-American interpreters: Michael Sandel, ed., *Liberalism and Its Critics* (New York: University Press, 1984); Taylor, *Hegel*; Bernard Williams, *Ethics and the Limits of Philosophy* (Cambridge, MA: Harvard University Press, 1985).
215. Habermas, "Citizenship and National Identity: Some Reflections on the Future of Europe," in *Between Facts and Norms*, Appendix 2.
216. Alasdair MacIntyre, "Is Patriotism a Virtue?" The Lindley Lecture delivered at the University of Kansas, March 1984, 4.
217. EM, §540. Compare Ludwig Siep, "'Gesinnung' und 'Verfassung': Bemerkungen zu einem nicht nur Hegelschen Problem," in *Praktische Philosophie im Deutschen Idealismus*, 270–84.
218. See, for instance, Philip Pettit, *Republicanism*; and Skinner, *Liberty Before Liberalism*.

NOTES TO CHAPTER 9

1. See Haym, *Hegel und sein Zeit*, 357–91.
2. PR, §272R.
3. PR, §185.
4. LHP, Vol. 2, 10.
5. LPWH, 110.
6. See especially Section V "The Fate of Jesus and His Church" of *The Spirit of Christianity*. ETW, 281ff.
7. LPR, Vol. 3, 341.
8. PH, 344; *Werke*, Vol. 12, 416.
9. EM, §552.
10. LPR, Vol. 3, 341.
11. PH, 431.
12. PH, 344.
13. *Werke*, Vol. 20, 52.
14. Hegel, LPR, Vol. 3, 341.
15. For an account of how Hegel's concept of Protestantism functions as a type of normative reconstruction of what might be more commonly associated with the historical phenomenon, see Jörg Dierken, "Hegels 'Protestantisches Prinzip': Religionsphilosophische Implikationen einer geschichtsphilosophischen Denkfigur," in *Hegels Vorlesungen über die Philosophie der Weltgeschichte [Hegel-Studien Beiheft 38]*, ed. Elisabeth Weisser-Lohmann and

Dietmar Köhler (Bonn: Bouvier, 1998), 123–46. For a discussion of how Hegel's Protestantism may represent less of a philosophical construction of his own than an elaboration of a historically existent but heterodox tradition of interpretation, see Dickey, *Hegel*. See also Cyril O'Regan, "The Religious and Theological Relevance of the French Revolution," in *Hegel on the Modern World*, ed. Ardis B. Collins (Albany: State University of New York Press, 1995), 29–52.

16. *LHP*, Vol. 3, 149.
17. *PR*, §185.
18. *LPWH*, 73.
19. *LPWH*, 54. Hegel's endorsement of the Protestant notion of subjective freedom is thus no endorsement of the narrow subjectivism he associated both with the emotionalism or intuitionism of pietist Protestantism or with the theology of feeling associated with Schleiermacher. To the extent that Protestantism takes the form of subjective self-immersion, it is, he maintains, less compelling than the doctrines of the Catholic orthodoxy, whose dogmatic character the former has in other contexts so rightly exposed. Hegel rejects this reading of Protestantism in part because it entails a denial of religious experience itself, which attends to subjective consciousness *and* affirmation of the absolute. He rejects it as well because it eliminates the degree to which an affirmation of Christianity as a revelatory religion is precisely to affirm the subject's capacity to access cognitively the speculative content of religion, even if that content cannot be divorced from subjective experience. And he rejects it because it misrepresents the concept of subjective freedom introduced by Christianity and otherwise articulated so effectively by Protestantism. Championing the idea of free *spirit*, Christian freedom consists in the "reconciliation" of subjective and objective, in the notion that being with self and being with God are not only not contradictory but that self-determination consists precisely in retaining self-identity in the other and recognizing that self-identity is possible only through the other. For Hegel's relation to other accounts of Protestantism, see Laurence Dickey, "Hegel on Religion and Philosophy," in *The Cambridge Companion to Hegel*, ed. Beiser. For an account of Hegel's conjunction of religion and politics that accentuates the idea of the self-consciousness of freedom, see Walter Jaeschke, "Christianity and Secularity in Hegel's Concept of the State," *Journal of Religion* 61, no. 2 (April 1981): 127–45.
20. *PH*, 343.
21. *PR*, §124.
22. *LPR*, Vol. 1, 192ff.
23. *EM*, §482.
24. *PH*, 422.
25. *EM*, Vol. 3, §482.
26. *LHP*, Vol. 3, 148.
27. *PH*, 424.
28. "Address on the Tercentenary of the Submission of the Augsburg Confession," in *PWN*, 189.
29. Dickey's "General Introduction," in *PWN*, xxiii–xxviii.
30. *PWN*, 189.
31. *PR*, §4.
32. *LPWH*, 109. The German reads as follows: "Die Religion also muß betrachtet werden als notwendig übergehend in Verfassung, weltliches Regiment, weltliches Leben." See *VPW*, 130.
33. *LPWH*, 71.
34. *PR*, 21.

35. PH, 422.
36. PH, 422.
37. PR, §132.
38. Hegel, VPW, 82.
39. FK, 57, amended.
40. VNSW, §136.
41. LHP, Vol. 3, 3.
42. LPWH, 54.
43. PR, §270.
44. Harris, *Hegel's Intellectual Development*, 49n.
45. PR, §270.
46. *Vorlesungen über die Beweise vom Dasein Gottes* (Hamburg: Felix Meiner, 1966), 2.
47. See EPC, 284.
48. For an important discussion of Hegel's political writings as an exercise in civic education, see Dickey, *Religion, Economics, and the Politics of Spirit*.
49. LPR, Vol. 3, 331.
50. LPR, Vol. 3, 340. As he also writes: "When this cultivation of subjectivity and this purification of the heart from its immediate natural state has been thoroughly established and made an enduring condition that accords with its universal purpose, it is then consummated as the ethical realm (*Sittlichkeit*), and by this route passes over into ethics (*Sitte*) and the state." LPR, Vol. 1, 451.
51. Dickey, *Hegel*, 282.
52. PR, §270R.
53. LPR, Vol. 3, 342n.
54. PR, §270.
55. PR, §242. See Elisabeth Weisser-Lohmann, "'Reformation' und 'Friedrich II.'" in den geschichtsphilosophischen Vorlesungen Hegels," in *Hegels Vorlesungen über die Philosophie der Weltgeschichte*, ed. Weisser-Lohmann and Köhler, 110–12. Compare, however, Stephen Houlgate: "Membership of a corporation . . . enables us to manifest our love for our neighbor in our everyday secular activity." See Stephen Houlgate, *Freedom, Truth and History: An Introduction to Hegel's Philosophy*. 2nd ed. (Oxford: Blackwell, 2005), 206.
56. Letter to Niethammer, November 3, 1810, *Letters*, 227.
57. Ludger Oeing-Hanhoff, "Hegels Deutung der Reformation," in *Hegel; L'esprit objectif, l'unité de l'histoire*, 239–57.
58. Compare Stephen Houlgate: "Wittingly or not, it is thus Christianity itself that has effectively promoted the autonomy of reason from faith—as Nietzsche recognized as well." Houlgate, *Freedom, Truth and History*, 274.
59. EM, §552, translation modified. In asserting that religion itself is a mechanism for raising social and ethical consciousness, Hegel anticipates but also differentiates himself from subsequent discussions of critique, where consciousness-raising criticism is associated with a secularly understood critique of ideology, while religion is identified with a contrasting form of redemptive criticism. Indeed, for Hegel not only is consciousness-raising criticism understood in religious terms, but redemptive criticism has secular motivation—to salvage ordinary experience from a Christian religion committed to juxtaposing clerical and lay culture. Habermas explored these two forms of criticism in his well-known essay "Walter Benjamin: Consciousness-Raising or Rescuing Criticism," in *Philosophical-Political Profiles*, trans. Frederick Lawrence (Cambridge, MA: MIT Press, 1983), 129–63.
60. EM, §552.

61. *EM*, §552.
62. de Tocqueville, *Democracy in America*, 444f.
63. de Tocqueville, *Democracy in America*, 311.
64. *Democracy in America*, 293.
65. "It is the spirit of the community as a whole that is creative; the doctrine of the church is not produced by the church but is cultivated by the spirit present within it." *LPR*, Vol. 3, 151.
66. *PR*, §272.
67. *PR*, §270A.
68. *SEL*, 141. It is true that in his earlier writings, Hegel understood the idea of political self-causation as rooted not in Protestantism but in an altogether "new religion." It is via a new religion, Hegel asserted during his Jena period, that one allows for a *Volksgeist* "which can have the boldness to takes its pure form out of its own majesty and on its own ground." Karl Rosenkranz, *G.W.F. Hegels Leben* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1844/1977), 141.
69. *PR*, §272A.
70. *PR*, §66; *PS*, §17.
71. Karl-Heinz Iltting, "Hegels Auseinandersetzung mit der aristotelischen Politik," *FPS*.
72. *PH*, 333, amended.
73. Hobbes, Author's Preface, *Leviathan*.
74. Karl Marx, *Early Writings*, trans. Rodney Livingstone and Gregor Benton (New York: Vintage Books, 1975), 61.
75. *LPWH*, 54, emphasis added.
76. *LHP*, Vol. 3, 20f.
77. Hegel's notion of practical creativity has affinities with the notion of "situated creativity" associated with pragmatist conceptions of human action. See Hans Joas, *The Creativity of Action*, trans. Jeremy Gaines and Paul Keast (Chicago: University of Chicago Press, 1996), 144.
78. Michael Theunissen, "Begriff und Realität," in *Seminar*, ed. Horstmann, 324–59.
79. *NL*, 99.
80. Robert Pippin has expressed doubts about the appropriateness of the language of self-causation for interpreting Hegel's concepts of spirit and freedom, political freedom in particular. In *Hegel's Practical Philosophy*, for instance, he asserts that in Hegel, unlike Kant and Fichte, "we get none of the self-initiating or self-causing language . . . because Hegel denies any such first moment, instead regarding spirit as always already 'self-realizing' in time, self-authorizing or self-legislating in a way that always relies on and is oriented by practices and properties that are already authoritative at a time." And indeed if self-causation denotes an autarchic process of divine self-generation or self-initiating, then the terminology is clearly inadequate to Hegel's practical philosophy, his conception of an earthly divinity in particular. Yet for Hegel—and it is here we see the uniquely "speculative" nature of Hegel's undertaking (one that Pippin claims is not properly appreciated)—self-causation does not refer to a form of infinite activity juxtaposed to realities of finite existence. Based on the reconstructive ontology central to Hegel's metaphysic of spirit, self-causation is fully compatible with the realities of finite and particular existence. On this model, self-causation denotes the process by which an existing cultural substance, a specific historical community, reflexively seeks to attain consciousness and comprehension of itself. *Pace* Pippin, the "problem of causal power" here goes hand in hand with Hegel's "interpretive and reconciliationist project." See Pippin, *Hegel's Practical Philosophy*, 133. See also Pippin, "Hegel, Freedom, and the Will," in *G.W.F. Hegel*, ed. Siep, 45.

81. *PR*, §4.
82. *PR*, §66.
83. See Louis Roux and Ghislaine Chanavat, "Die Staatsauffassung bei Hobbes und Hegel."
84. *LHP*, Vol. 3, 258.
85. *LPR*, Vol. 3, 342n.
86. *PH*, 343.
87. *PS*, 478.
88. *VNSW*, §139. None of this is to deny Hegel's claims about the importance of the monarchy for constitutionalism. Here I simply note that in the present context Hegel construes the monarchy as a "natural divinity," and thus other than the "rational divinity" reserved for the constitution itself.
89. *VNSW*, §134.
90. *VNSW*, §134. It is true that Hegel also calls the constitution "a divine gift" (*ein göttliches Geschenk*), and thereby appears to question altogether the role of human agency in constitutional politics (*VRP*, Vol. 1, 330). In this respect, his position reveals affinities to the thought of Carl Schmitt, whose political theology sought to challenge the place of collective agency in political life. The differences are telling, however. Schmitt's political theology revolves around the concept of the miraculous as it shapes what he sees as the essential feature of politics: the decisionism of the sovereign in response to a state of emergency. By contrast, Hegel's political theology encompasses a notion of political agency—reflected as well in the concept of a divine gift—in which a constitution, while not the explicit product of human action, remains the by-product of a people causing or constituting itself. See Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Cambridge, MA: MIT Press, 1985), Ch. 3.
91. *VNSW*, §134.
92. *PR*, §343.
93. *PS*, 498.
94. As Henry Harris writes: "there is an important sense in which this [religious] *Entzweiung* of consciousness, this *Gebrochenheit* of actuality, cannot be abolished. . . . [and therefore] expresses the rational attitude of openness of the future." H.S. Harris, *Hegel's Ladder II: The Odyssey of Spirit* (Indianapolis/Cambridge: Hackett, 1997), 697.
95. In his book *The Disenchantment of the World*, Marcel Gauchet argues that, in the modern world, religion survives to the extent that transcendence becomes a feature of the sovereign autonomy often invoked against religiously based accounts of political legitimacy. Disjunctive transcendence has been "replaced not by sovereign freedom conscious of the here and now, but by the relation of self-identity through the other of the future." Hegel would argue similarly, although on his view self-identity not only implies but enacts a future reference. See Marcel Gauchet, *The Disenchantment of the World: A Political History of Religion*, trans. Oscar Burge (Princeton, NJ: Princeton University Press, 1997), 191, 162–207.
96. See Mark S. Cladis, *A Communitarian Defense of Liberalism*, *Emile Durkheim and Contemporary Social Theory* (Stanford: Stanford University Press, 1992), especially Chapter 3.
97. *LPWH*, 105.
98. *LPWH*, 105.
99. *PS*, 398.
100. *SEL*, 144.

101. *SEL*, 176.
102. Brod, *Hegel's Philosophy of Politics*, 130–33.
103. *PR*, §270.
104. *PR*, §308.
105. *PR*, §260.
106. *LPR*, Vol. 1, 91n. For a systematic discussion of Hegel's account of the relationship of modern Christianity to the modern life-world of ordinary existence, see Erzsébet Rózsa, *Versöhnung und System*, especially Ch 5.
107. *LPWH*, 116.
108. *LPWH*, 130.
109. *PS*, 459.
110. *LPWH*, 38.
111. Catherine Malabou, *The Future of Hegel: Plasticity, Temporality and Dialectic*, trans. Lisabeth During (London: Routledge, 2005), see Part II, especially 92–94.
112. Rawls, *Political Liberalism*, xvi.
113. Jean-Jacques Rousseau, *The Social Contract and the Discourse on the Origin of Inequality*, ed. Lester Crocker (New York: Washington Square Press, 1967), 145.
114. Andrew Shanks, *Hegel's Political Theology* (Cambridge: Cambridge University Press, 1991).
115. Letter to Niethammer, November 3, 1810, *Letters*, 227.
116. *LPWH*, 97f.
117. *EM*, §552.
118. Jürgen Habermas, "Religion in the Public Sphere," *European Journal of Philosophy*, 14 no 1 (2006), 1–25.

NOTES TO CHAPTER 10

1. For instance, see Raymond Plant, "Hegel on Identity and Legitimation," in *The State and Civil Society*, ed. Pelczynski. Cf. Jürgen Habermas, "Können komplexe Gesellschaften eine vernünftige Identität ausbilden?" in *Zur Rekonstruktion des Historischen Materialismus* (Frankfurt: Suhrkamp, 1976), 92–126.
2. For a recent restatement of the Hobbesian interpretation, see Dudley Knowles: "Hegel's account of international relations is a good illustration of the thesis that Hobbes's state of nature accurately describes the relations between independent nation states. States recognize each other in the way of independent moral persons but inevitably have an adversarial stance since their primary objective is the welfare of their own citizens." See Dudley Knowles, *The Routledge Philosophy Guidebook to Hegel and the Philosophy of Right* (London: Routledge, 2002), 341.
3. Thus, Robert R. Williams has perceptively called attention to Hegel's critique of Napoleon's seemingly Hobbesian assertion "the French Republic is no more in need of recognition than the sun is," noting that such absolute claims to sovereign autonomy themselves presuppose, however rudimentarily, the forms of international relations in terms of which alone such claims can be acknowledged. See Williams, *Hegel's Ethics of Recognition*, 350f. For the Hegel citation, see *PR*, §331.
4. *PR*, §333.
5. Williams, *Hegel's Ethics of Recognition*, 3.
6. Hegel does not present this distinction as explicitly as would be desirable. Its clearest formulation is presented in his *Philosophy of Spirit*, in the

- one (!) paragraph he there devotes to interstate and international law: "The external law of states (*das äußere Staatsrecht*) rests partly on these positive treaties . . . ; partly on so-called international law (*Völkerrecht*)."⁷ It is elsewhere, in the *Philosophy of History*, that he identifies law focused on positive treatises as *Staatenrecht*. See EM, §547; VPW, 147f; and LPWH, 123f.
7. For Kant, see *Perpetual Peace*, where he speaks of *Weltbürgerrecht* "so far as men and nations stand in mutually influential relations as citizens of a universal nation of men (*ius cosmopoliticum*)."⁸ Cited in Immanuel Kant, *Perpetual Peace and Other Essays on Politics, History, and Morals*, trans. Ted Humphrey (Indianapolis IN: Hackett, 1983), 112n.
 8. EM, §547.
 9. Compare Steven V. Hicks's *International Law and the Possibility of a Just World Order: An Essay on Hegel's Universalism* (Amsterdam: Rodopi, 1999).
 10. PR, §331.
 11. Compare Klaus Vieweg, "Das Prinzip Anerkennung in Hegels universalistischer Theorie des äusseren Staatsrechts," in *Metaphysik der praktischen Welt. Perspektiven im Anschluss an Hegel und Heidegger*, ed. Christoph Jamme and Andreas Grossmann (Amsterdam: Rodopi, 2000). Also instructive is Robert Williams' *Hegel's Ethics of Recognition*, cited earlier, though this chapter reaches different conclusions regarding the role of recognition in international law. For one of the first to stress the importance of the concept of recognition in a constructive account of Hegel's internationalism, see Adam von Trott zu Solz's curiously neglected *Hegels Staatsphilosophie und das Internationale Recht* (Göttingen: Vandenhoeck & Ruprecht, 1932), especially 75–87.
 12. LPWH, 101.
 13. PR, §331.
 14. LPWH, 96; PR, §335. In the *Philosophy of Right*, he similarly characterizes the state as an "ethical universe" (*sittliche Universum*) and the spirit of a people (*Geist des Volkes*); see p. 21 and §274.
 15. Charles Taylor has argued along these lines, contrasting a "politics of difference" focused on the ideal of cultural authenticity to a "politics of equal dignity." See Taylor, "The Politics of Recognition," in *Multiculturalism*, ed. Amy Gutman, (Princeton, NJ: Princeton University Press, 1994), 25–73.
 16. PR, §330.
 17. See again Charles Taylor for a reaffirmation of this Herderian legacy, "The Politics of Recognition," cited earlier.
 18. See Nancy Fraser, "Rethinking Recognition," *New Left Review* 3 (May–June 2000): 113.
 19. Against the enclavism associated with some theories of culture identity, Seyla Benhabib has demarcated the idea of cultural identity from processes of recognition. As we shall see, this is close to Hegel's position, with the proviso that, for him, cultural identity, inasmuch as it depends on processes of recognition, itself challenges separatism and enclavism. See Seyla Benhabib, *The Claims of Culture: Equality and Diversity in the Global Era* (Princeton, NJ: Princeton University Press, 2002), 49–81, especially 70.
 20. LPWH, 96.
 21. According to H. Setson-Watson, a nation is "a community of people, whose members are bound together by a sense of solidarity, a common culture, a national consciousness." For Hegel, it is the concept of self-consciousness that articulates the notion of a nation qua national consciousness. The citation is taken from Yael Tamir, *Liberal Nationalism* (Princeton, NJ: Princeton University Press, 1993), 60.

22. *PS*, 138. For an instructive discussion of Hegel's account of intersubjectivity from the perspective of self-consciousness, see Hans-Georg Gadamer, "Hegel's Dialectic of Self-Consciousness," *Hegel's Dialectic: Five Hermeneutical Studies*, trans. P. Christopher Smith (New Haven, CT: Yale University Press, 1976), 54–74. See also Düsing, *Intersubjektivität und Selbstbewußtsein*.
23. In the *Philosophy of History*, Hegel acknowledges that a proper account of the relationship of self-sufficient states and peoples "would call for a long explanation." For reasons that are not entirely clear or convincing he claims that such explanation "can well be dispensed with here" (*LPWH*, 123).
24. *LPWH*, 101.
25. As Hegel writes in a different context: "All essential advantage that the learning of foreign languages can grant us is certainly that in this way our concepts are enriched, especially if the culture of the peoples who spoke this language is different from our own." See Johannes Hoffmeister, ed., *Dokumente zu Hegels Entwicklung* (Stuttgart: Frommanns, 1936), 169.
26. "The most concrete and the most subjective, and that which withdraws into the simplest depths, is . . . the most overreaching" (*Übergreifendste*). See *SL*, 841.
27. *PR*, §331. The term "*vervollständigt*" is emphasized in the original. The constitutive connotation of this term is not adequately captured in the Wood edition of the *Philosophy of Right*, which renders it as "supplemented."
28. As Hegel writes in his logic: "so geht hiermit Etwas in seinem Übergehen in Anderes nur mit sich selbst zusammen" (*EL*, §95). In *The Claims of Culture*, Seyla Benhabib challenges those who understand the politics of recognition in terms of a politics of cultural identity, noting that the former can challenge as well as affirm a group's cultural uniqueness or specificity. Hegel would also reject the notion that recognition involves any undifferentiated affirmation of the identity of a culture. Yet, for him, this involves no repudiation of a "politics of identity." In his view, cultural identity is itself a highly complex and differentiated category, intertwined with a logic of recognition that challenges any reductionist and narrowly self-contained construal. See Benhabib, *The Claims of Culture*, especially 68–71.
29. *PR*, §331.
30. As Hegel writes elsewhere in characterizing universal self-consciousness, a self-conscious subject claims "absolute self-sufficiency" only in the "shape of reciprocity" (*Gegenseitigkeit*) (*EM*, §436).
31. *PR*, §331.
32. "The liberation (*Befreiung*) of colonies itself proves to be the greatest advantage to the mother state, just as the emancipation (*Freilassen*) of slaves is of the greatest significance to the master" (*PR*, §248).
33. *PR*, §331.
34. *Vorlesungen über der Philosophie der Weltgeschichte*, cited in Shlomo Avineri, *Hegel's Theory of the Modern State* (Cambridge: Cambridge University Press, 1972), 207.
35. *PR*, §339.
36. *PR*, §331.
37. *PR*, §333.
38. Already in the essay on natural law, Hegel castigated as "empty" or "void" the idea of "a league of nations or a world republic," and this attitude, with only minor variation, continued to infuse his view of international relations. See *NL*, 132f.
39. See Adrian Peperzak, "Hegel contra Hegel in His Philosophy of Right: The Contradictions of International Politics," *Journal of the History of Philosophy*, 32, no. 1 (January 1994): 241–63.

40. EM, §547.
41. PR, §339A.
42. EM, §436.
43. PR, §339.
44. EM, §547.
45. LPWH, 54, emphasis added.
46. PR, §340.
47. See Ludwig Siep, "Das Recht als Ziel der Geschichte: Überlegungen im Abschluß an Kant und Hegel," in *Das Recht der Vernunft: Kant und Hegel über Denken, Erkennen und Handeln*, ed. Christel Fricke et al. (Stuttgart-Bad Cannstatt: Frommann-Holzboog, 1995), 355–79.
48. PR, §333.
49. *Werke*, Vol. 12, 418. For an English translation, see PH, 346.
50. Rawls, *Law of Peoples*, 45.
51. See Siep, "Das Recht als Ziel der Geschichte."
52. *Hegel and the Human Spirit: A Translation of the Jena Lectures on the Philosophy of Spirit (1805/06) with Commentary*, trans. Leo Rauch (Detroit, MI: Wayne State University Press, 1983), 111. There are, to be sure, significant differences between the Jena writings and the *Philosophy of Right* as regards the specific relation of right and recognition. In the early writings, *Anerkanntsein* is presented as the definition of right itself, whereas in the *Philosophy of Right*, right is now defined as the "existence (*Dasein*) of the free will" (PR, §29). In addition, while in the early writings recognition was invoked both to generate and justify the concept of right, such efforts are not part of the later theory of right. Here he claims that an account both of its origin and justification—what in the Kantian tradition he calls a "deduction"—are "presupposed" (PR, §2), having been previously addressed in the section of the *Philosophy of Subjective Spirit* devoted to phenomenology. Yet, if in this sense, the later Hegel refuses to reaffirm the conjunction of *Recht* and *Anerkanntsein* presented in the Jena writings, he does affirm it in ways consonant with a notion of right defined as the existence of freedom. For instance, right is normatively linked to *Anerkanntsein*—as is also clear in the account of international law—in the sense that freedom now requires "the form of necessity," understood both as objectively existent organizational mechanisms ensuring the recognition of rights and the forms of subjective disposition required for their acceptance and continued maintenance. See EM, §484.
53. For a recent account of recognition that contraposes, in a way at variance with what is presented here, "deontological" principles of justice "ethical" notions of cultural self-realization, see Nancy Fraser, "Recognition without Ethics?" *Theory, Culture and Society* 18, nos. 2–3 (2001): 21–42.
54. EM, §547. Hegel discussed this reflexivity in the account of the struggle for recognition that he presents in the *Phenomenology of Spirit*, noting that the participants there "recognize themselves as reciprocally acknowledging each other" (112).
55. PR, §209. Speaking of the principle of personhood as the perspective from which individuals should be regarded, he claims that "a grand and important step was taken when humanity came to regard itself in such large and universal terms, . . . where humanity simply as such comes to merit recognition." See VPRHe, 169.
56. VPRHe, 169.
57. PR, §§209, 337.

58. See Hans Friedrich Fulda, "Geschichte, Weltgeist und Weltgeschichte bei Hegel," *Annalen der Internationalen Gesellschaft für Dialektische Philosophie—Societas Hegeliana* (Cologne: Pahl-Rugenstein, 1983), 67, 71.
59. See also *PR*, §109.
60. The attempt to affirm cosmopolitanism in a way that appeals not to abstract principles but to processes of transnational communication is evident in John S. Drydek, "Transnational Democracy: Beyond the Cosmopolitan Model," in *Deliberative Democracy and Beyond* (Oxford: Oxford University Press, 2000), 115–39. A transnational construal of cosmopolitanism can also be found in Jürgen Habermas' "Why Europe Needs a Constitution," where he writes that a postnational public sphere will "emerge from the mutual opening of existing national universes to one another, yielding an interpenetration of mutually translated national communications" (*New Left Review* 11 [September–October 2001]: 18).
61. A version of "rooted cosmopolitanism" has been advanced by Kwame Anthony Appiah, whose juxtaposition of cosmopolitanism to humanism parallels a distinction between Weltgeist and philanthropy central to Hegel's position. I return to Appiah's proposal at the conclusion on the next section. See Kwame Anthony Appiah, "Cosmopolitan Patriots," in *Cosmopolitanism: Thinking and Feeling beyond the Nation*, ed. Pheng Cheah and Bruce Robbins (Minneapolis: University of Minnesota Press, 1988), 91–114.
62. *PR*, §340.
63. *PR*, §345.
64. *PR*, §274.
65. *PR*, §§337, 339.
66. *PR*, §§341, 346.
67. *PR*, §346.
68. *PR*, §331.
69. See Siep, "Das Recht als Ziel der Geschichte," 371.
70. Gadamer, *Truth and Method*, 305.
71. For an instructive discussion of these issues with regard to Kant, Habermas, and Taylor, see Thomas McCarthy, "On Reconciling Cosmopolitan Unity and National Diversity," in *Global Justice and Transnational Politics*, ed. Pablo DeGreiff and Ciaran P. Cronin (Cambridge, MA: MIT Press, 2001), 235–74.
72. *PR*, §308.
73. *PR*, §357.
74. *PR*, §336.
75. See Ulrich Beck, *What Is Globalization?* (Cambridge: Polity Press, 2000), especially 42–52.
76. *PR*, §147.
77. *PR*, §260.
78. *PH*, 346, amended.
79. See Roland Robertson, *Globalization: Social Theory and Global Culture* (London: Sage, 1992), especially Chapter 6, "The Universalism-Particularism Issue," 97–114.
80. The point has been made by Jonathan Rée, who invokes Hegel in this context: "You cannot have a sense of belonging to the same nation as your neighbors unless you are aware of it as one nation among others and of an imagined totality of nations forming, eventually a kind of world system, perhaps arranged in some order of seniority. . . . Nations exist only in the plural, in other words, and if every nation but one were destroyed, then the last one would cease to be a nation as well. Local sentiments acquire national significance only in the light of an imagined international order. It is essential to the principle of nationality that

- it presuppose internationality.” See Jonathan Rée, “Cosmopolitanism and the Experience of Nationality,” in *Cosmopoliticus*, ed. Cheah and Robbins, 83.
81. PR, §§309ff. See also Duso, *Der Begriff der Repräsentation und das moderne Problem der politischen Einheit*.
 82. EM, §436.
 83. See Fulda, “Geschichte, Weltgeist and Weltgeschichte bei Hegel.”
 84. PR, §340; see also EM, §552.
 85. PR, §7.
 86. SL, 131136.
 87. As Hegel writes, one historical community “is an incomplete present (*unvollständige Gegenwart*) that cannot understand itself and develop an integrated consciousness without reference to the past” (LPWH, 136).
 88. As Hegel writes, one “individual national spirit fulfills itself by effectuating a transition to the principle of another nation . . . a new phase and a new spirit” (LPWH, 56, amended; see also PR, §343).
 89. NL, 127, translation amended.
 90. PR, §330.
 91. LPWH, 65.
 92. Canovan, *Hannah Arendt*, 206ff.
 93. EM, §552.
 94. Appiah, “Cosmopolitan Patriots,” in *Cosmopoliticus*, ed. Cheah and Robbins, 94, 92.
 95. PR, §339.
 96. LPWH, 127, amended.
 97. PR, §343.
 98. EM, §432.
 99. The wider issue concerns the role of war in Hegel’s theory of international relations. This cannot be taken up here; in elaboration, the present argument would show, however, that, for Hegel, war and other forms of strife, however “tragic” (another highly complex and multivalent category in his thought), are, as was already the case with Kant, not incompatible with global commonality or even comity.

NOTES TO CHAPTER 11

1. See EM, §547; VPW, 147f; and LPWH, 123f.
2. PR, §147.
3. VPRHe, 201.
4. VRP, Vol. 3, 706; VPR, Vol. 4, 614f.
5. Kant, *Perpetual Peace and Other Essays*, 118f.
6. LPWH, 99.
7. PR, §248.
8. EM, §436A.
9. PR, §7A.
10. EM, §431R.
11. PR, §36.
12. VNSW, §118.
13. PWK, 163.
14. PR, §265.
15. Seyla Benhabib, *The Rights of Others: Aliens, Residents and Citizens* (Cambridge: Cambridge University Press, 2004), 107.
16. PR, §290R.
17. PWK, 263.

18. Pogge, "Cosmopolitanism and Sovereignty," in *Global Justice: Seminal Essays Ethics*, ed. Pogge and Moellendorf, 379.
19. PR, §255R.
20. Compare David Held, *Democracy and the Global Order* (Stanford: Stanford University Press, 1995), 154.
21. Hegel's position thus seems to be richer than that of Pogge, who, relying on an "institutional" notion of cosmopolitanism, can only regard a centralized world state as an alternative to a more decentralized multilayered scheme. In differentiating the administrative and cultural dimensions of law, Hegel can allow for a multileveled system of legal administration while still asserting an overarching system of norms and expectations.
22. In this regard Hegel's position is closer to the one developed by Habermas, with its attention to a "global rule of law without a global legal state," established in part against the traditional "nationalistically biased liberalism" that Habermas claims was set in motion by Hegel and the historical school. See Jürgen Habermas "The Constitutionalization of International Law" in *The Divided West*, trans. Ciaran Cronin (Cambridge: Polity Press, 2006), 115–93; for the critique of Hegel, see 150ff.
23. See Axel Honneth, "Redistribution as Recognition?: A Response to Nancy Fraser," in Nancy Fraser and Axel Honneth, *Redistribution or Recognition?: A Political-Philosophical Exchange*, trans. Joel Golb, James Ingram, and Christiane Wilke (London: Verso, 2003), 134.
24. For an instructive discussion of these issues, see Williams, *Hegel's Ethics of Recognition*, particularly 232–61.
25. PR, §241.
26. VPRHe, 195.
27. VPRHe, 196.
28. VPRHe, 127.
29. VPRHo, § 244.
30. PR, §238.
31. PR, §209.
32. PR, §244A.
33. VPRHe, 196.
34. VPRHe, 195.
35. VPRHo, §244.
36. Cf. Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt, Brace and Jovanovich, 1968), 177.
37. In his book *Bound by Recognition* Patchen Markell claims that for Hegel "the pursuit of recognition itself may be implicated in the formation and maintenance of unjust relations of social power." See Patchen Markell, *Bound by Recognition* (Princeton, NJ: Princeton University Press, 2003), 112. The present analysis lends support to this position. The expectations for and requirements of recognition can themselves contribute to and exacerbate *inter alia* the disenfranchisement experienced by the modern poor. It is questionable, however, if Markell is correct in his analysis of the source of the problems, reflected in his claim that the pursuit of recognition represents "the failure to acknowledge one's own finitude, rooted in the condition of human plurality" (95). Similarly, we must question the claim that forms of subordination shaped or perpetuated in the "pursuit of recognition" derive from "the fact that action is always, ultimately, *interaction*, and that interaction introduces an ineliminable contingency into life among others" (119f) or that "in interaction itself, we become more or other than we take ourselves to be" (121). Later, we shall consider the relationship of interaction and recognition; here it is enough to note that, for Hegel, "becoming more or other than we take ourselves to be," far from evincing the

deficiencies of a theory of recognition, is a desideratum of the recognitive process and a sign of its fecundity and success. For more general discussion of the way in which recognition may contribute to forms of domination, see Axel Honneth, "Recognition as Ideology," in *Recognition and Power: Axel Honneth and the Tradition of Critical Social Theory* ed. Bert van den Brink and David Owen (Cambridge: Cambridge University Press, 2007), 323–47.

38. PR, §244R.
39. Hegel's characterization of the various forms the rabble mentality might assume is dispersed throughout various versions of *Philosophy of Right*, the various lecture versions as well as the published version itself.
40. PR, §244R.
41. VNSW, §118.
42. VPRHo, §244.
43. VPR, Vol. 4, 609f.
44. See Dieter Henrich's Introduction to VPRHe, 18–21.
45. Joseph Stiglitz, *Globalization and Its Discontents* (New York: Norton Press, 2002), 40.
46. Charles Taylor, "The Politics of Recognition," in *Multiculturalism*, ed. Gutman, 32.
47. Hegel's account of communities dedicated to recognizing individuals as regards their specificity, particularly in the face of societal misrecognition, is provided in his treatment of the corporation. While presented as entities focused on occupational identity, they may also be understood both as sources and institutional embodiments of cultural identity generally. See Paul Cobben, *Das Gesetz der multikulturellen Gesellschaft. Eine Aktualisierung von Hegels "Grundlinien der Philosophie des Rechts"* (Würzburg: Königshausen & Neumann, 2002), 203.
48. PS, §193.
49. *Lectures*, 170–71. In a similar vein Hegel acknowledges the legitimacy of rebellion for a "conquered people . . . a province conquered in war." PR, §281A.
50. LPWH, 68.
51. Ciro Alegria, "Geschichte und Sittlichkeit in den postkolonialen Ländern," *Deutsche Zeitschrift für Philosophie* 56, no. 2 (2008): 261–75.
52. For an excellent discussion of Hegel as a "proto-post-colonialist" open to a "post-European future," see Peter Stillman, "Hegel on Post-Colonialism and Cosmopolitanism," in *Europe and Its Borders*, ed. Andrew Davison and Himadeep Mupped (Lanham, MD: Lexington Books, 2009), 25–48, which also has recourse to the two citations just noted.
53. Included here, at least in some articulations, is Frantz Fanon, invoked by Taylor in fashioning his own view. See Frantz Fanon's *The Wretched of the Earth* (New York: Grove Press, 1963) as well as *Black Skin, White Masks* (New York: Grove Press, 1967); see also Jean-Paul Sartre's Introduction to Albert Memmis's book, *The Colonizer and the Colonized* (New York: Orion Press, 1965). Cf. W.E.B DuBois, *The Souls of Black Folk* (Boston: Bedford Books, 1997). Instructive also are Sandra Adell, *Double Consciousness/Double Bind: Theoretical Issues in Twentieth-Century Black Literature* (Urbana: University of Illinois Press, 1994), especially 11–28, and Shamoan Zamir, *Dark Voices: W.E.B. Du Bois and American Thought, 1888–1903* (Chicago: University of Chicago Press, 1995).
54. Taylor, "The Politics of Recognition," 65f.
55. Fanon, *Black Skin, White Masks*, 197.
56. VPRHe, 204f.

57. A version of this argument has been articulated by Anthony Giddens. While asserting that globalization is rooted in and at least initially propelled by impulses central to modern Western cultures, he also says, in light of the extent of global interconnectivity, that we can no longer speak of “a one-way imperialism,” but must recognize instead “not only that the other ‘answers back,’ but that mutual interrogation is possible.” See Anthony Giddens, “Living in a Post-Traditional Society,” in *Reflexive Modernization: Politics, Tradition and Aesthetics in the Modern Social Order*, ed. Ulrich Beck et al. (Stanford: Stanford University Press, 1994), 96f.
58. For a recent reaffirmation of the opposing view, see Habermas, *The Divided West*, 150f.
59. PR, §338.
60. VNSW, §163.
61. VPW, 761, cited in Avineri, *Hegel’s Theory of the Modern State*, 207.
62. PR, §331.
63. PS, 110.
64. PR, §339.
65. LPWH, 65.
66. See Jonathan Rée, “Cosmopolitanism and the Experience of Nationality,” in *Cosmopoliticus*, ed. Cheah and Robbins, 83.
67. NL, 127, translation amended.
68. See Ludwig Siep, “Das Recht als Ziel der Geschichte: Überlegungen im Abschuß an Kant und Hegel,” in *Das Recht der Vernunft*, ed. Fricke et al 355–79.
69. PR, §333.
70. Benhabib, *Claims of Culture*, 38f.
71. PR, §339.
72. PR, § 340.
73. PR, §345.
74. This is an important issue in the dispute between Nancy Fraser and Axel Honneth. Thus, Fraser criticizes Honneth’s recognition-theoretic approach to social theory on the grounds that, by focusing on issues of identity formation, it restricts normativity to conditions for the self-realization of a particular individual or community and thereby renounces attention to the “deontological” norms of justice that should be part of a critical theory of society. This chapter is not directly concerned with this debate, but a couple of observations may be in order. With regard to Fraser’s critique of Honneth’s position, it does seem questionable to claim that he sacrifices deontological considerations for those of teleological self-realization, the right for the good, or—to use categories more relevant to the German tradition—morality for ethics. While it is true that a recognition-theoretic approach to social theory does attend to conditions for identity formation, it does not thereby embrace an exclusively teleological approach to normative questions. At issue are not simply the conditions for realizing conditions for what a particular individual and community finds as good or desirable. Rather, there is a decidedly deontological notion to his account as well. Not only is self-realization measured on the basis of general norms relevant to types of successful self-realization—love, respect, and esteem; those recognition types are themselves scrutinized with regard to their general capacity to contribute to social inclusion and individualization. It may be true that Honneth claims that these norms are themselves the product of what is deemed culturally desirable—they have emerged historically as the principles underwriting modern society. Within modern societies,

however, they do have a deontological or, to use Honneth's Habermasian language, quasi-transcendental status, one that, independently of what is deemed desirable, can be understood to govern the conditions for ego development and social interaction. In this regard, Honneth himself, no less than Fraser, contraposes deontological to teleological considerations.

From a Hegelian perspective, however, the question is not whether Honneth's theory includes deontological as well as teleological considerations but whether he incorporates them in a way that precludes their abstract juxtaposition. For Hegel, as noted below, deontological considerations are not simply conditions regulating conditions of successful self-identity. Instead, they themselves are forged in processes of mutual recognition, just as teleological notions of self-realization are governed by such general principles as autonomy, self-identity, and reciprocity. For Hegel, the principles of right and the good are not only not opposed but mutual dependent and co-conditioning.

As for Fraser's position, one may question whether her own juxtaposition of deontological and teleological considerations is itself sustainable, a question raised by Honneth as well. One can question, for instance, whether the concept of radical democracy central to her deontological notion of participatory parity, her conception of deliberative proceduralism, and in general her commitment to "the liberal norm of equal autonomy and moral worth of human beings" (232) might not themselves depend on and/or affirm a particular conception of the good. In addition, her determination to justify participatory parity as a process of historical development would itself seem, *inter alia*, to suggest that she links the validity of norms with notions of what is culturally desirable.

For the general exchange and the above references, see Nancy Fraser, and Axel Honneth, *Redistribution or Recognition?*, 21–42.

75. PR, §36.

76. See also PR, §7.

77. JS, 197.

78. EM, §484.

79. EM, §547.

80. In his debate with Nancy Fraser, Axel Honneth affirms the historicity of norms against abstractly deontological accounts. However, Honneth seems to regard appeal to history as evidence of "the limits of deontology" (*Redistribution or Recognition?* 256), whereas, for Hegel, it represents the elaboration and proper explication of a deontological account.

81. Cf. Jacques D'Hondt, "Hegel et Napoléon," in *Hegels Rechtsphilosophie*, ed. Lucas and Pöggeler, 37–68.

82. See Depesh Chakrabarty, *Provincializing Europe: Post Colonial Thought and Historical Difference* (Princeton, NJ: Princeton University Press, 2000).

83. Of course, the standard view of Hegel on this matter is that he champions Western—or "Christian-Germanic"—values, that he seek to impose those value on other cultures, and that he regards values of non-Western culture as inferior to those of Western societies. While not denying that Hegel writings do give voice to such sentiments, the argument here is that he does not do so uniformly and, in any event, such sentiments do not express a law of peoples understood via a logic of recognition. I deal with these issues at greater length in the next chapter.

84. PR, §274.

85. PR, §209.

86. *Letters*, 35.

87. See David A. Crocker, "Insiders and Outsiders in International Development," in *Moral Issues in Global Perspective*, ed. Christine Koggel (Peterborough: Broadview Press), 1999), 147–62.
88. See Anthony Appiah, "Cosmopolitan Patriots," in *Cosmopolitics*, ed. Cheah and Robbins.
89. *EM*, § 432.
90. See Adam von Trott zu Solz, *Hegels Staatsphilosophie und das Internationale Recht*, 75–87.
91. *PR*, § 331.
92. Here we leave aside the question of whether the very process of consensus formation may itself entail specific normative and substantive consequences.
93. *Lectures*, 127, amended.
94. *PR*, §33.
95. *PR*, §343.
96. *PR*, §343.
97. In *For Love of Country: Debating the Limits of Patriotism*, ed. Martha C. Nussbaum and Joshua Cohen (Boston: Beacon Press, 1996), 47.
98. *EM*, §432.

NOTES TO CHAPTER 12

1. For recent critiques of Hegel's Eurocentrism, see Robert Bernasconi, "Hegel at the Court of the Ashanti," in *Hegel after Derrida*, ed. Stuart Barnett (New York: Routledge, 1998), 41–63; and Susan Buck-Morss, "Hegel and Haiti," *Critical Inquiry* 26 (Summer 2000): 821–65. That Hegel might be the preeminent proponent of philosophical Eurocentrism is asserted by Enrique Dussel, "Beyond Eurocentrism: The World-System and the Limits of Modernity," in *The Cultures of Modernity*, ed. Frederic Jameson and Masao Miyoshi (Durham, NC: Duke University Press, 1998), 3.
2. See Ram Adhar Mall, *Intercultural Philosophy* (Lanham, MD: Rowman & Littlefield, 2000), 51.
3. Robert Bernasconi, "Religious Philosophy: Hegel's Occasional Perplexity in the Face of the Distinction between Philosophy and Religion," *Bulletin of the Hegel Society of Great Britain* 45–46 (2000): 1–15.
4. Pippin, *Modernism as a Philosophical Problem*, 73–77.
5. *LPWH*, 11.
6. This is so for one thing simply because any type of historiography is unavoidably theory-laden. "Even the ordinary, run-of-the mill historian who believes and professes that his attitude is entirely receptive, that he is dedicated to the facts, is by no means passive in his thinking; he brings his categories with him, and they influence his vision of the data he has before him" (*LPWH*, 29).
7. For a statement of the reconstructive character of Hegel's approach to reality, see Klaus Hartmann, "Hegel: A Non-Metaphysical View," in *Hegel: A Collection of Essays*, ed. Alasdair MacIntyre (Garden City, NY: Anchor Books, 1972), 101–24.
8. *LPWH*, 29.
9. *LPWH*, 27.
10. *LPWH*, 29.
11. The "dialectical process of becoming is only the ideal expression of the real movement through which capital comes into being." See Marx, *Grundrisse*, 310.

12. "The systematically reconstructable patterns of development of normative structures . . . depict a *developmental logic* inherent in cultural traditions and institutional change." Jürgen Habermas, *Communication and the Evolution of Society*, trans. Thomas McCarthy (Boston: Beacon Press, 1979), 98.
13. LPWH, 11, amended.
14. For the idea of Hegel's metaphysics as a "normative ontology," albeit one somewhat different than that adumbrated here, see Klaus Hartmann, "Linearität und Koordination in Hegels Rechtsphilosophie," in *Hegels Philosophie des Rechts*, ed. Henrich and Horstmann, 305–16.
15. LPWH, 67, amended.
16. LPWH, 33.
17. LPWH, 54.
18. Compare Ludwig Siep, "Das Recht als Ziel der Geschichte," in *Das Recht der Vernunft*, ed. Fricke et al., 355–80.
19. LPWH, 208.
20. To my knowledge, Hegel never uses the locution "self-reconstruction" to describe the process of historical development. It is, however, a locution that is not foreign to his conceptual vocabulary. For instance, in LHP, when describing features of a properly Protestant appropriation of the truth of the Gospel, he speaks of the process by which this doctrine is to be "reconstructed by itself though itself" (*sich in sich selbst rekonstruiert*). See *Werke*, Vol. 20, 56.
21. LPWH, 33, amended.
22. In "The Dialectic of Civil Society," Karl-Heinz Ilting distinguishes between two approaches used by Hegel in the *Philosophy of Right*: "a phenomenology of the consciousness of freedom" and a "philosophical reconstruction" of that concept. The position advanced here is that in Hegel's account of a history of freedom the two approaches are one and the same. See Ilting, "The Dialectic of Civil Society," in *The State and Civil Society*, ed. Pelczynski, especially 216f.
23. PS, 489.
24. PR, 22.
25. ILHP, 75.
26. EM, §393A. See further Houlgate, *Freedom, Truth, and History*, 175f.
27. In addition to work by Robert Bernasconi, see, for instance, Michael H. Hoffheimer, "Hegel, Race, Genocide," *The Southern Journal of Philosophy*, 39 (2001): 35–62 and "Race and Law in Hegel's Philosophy of Religion," in *Race and Racism in Modern Philosophy*, ed. Andrew Valls (Ithaca, NY: Cornell University Press, 2005), 194–216.
28. EM, §482.
29. PR, §185.
30. LPWH, 54.
31. JS, 239.
32. PH, 343.
33. PR, §124.
34. *Werke*, Vol. 20, 329, emphasis added.
35. Francis Fukuyama, *The End of History and the Last Man* (New York: Free Press, 1992).
36. Consider Rorty's "frankly ethnocentric" championing of Western values. See Richard Rorty, "Justice as a Larger Loyalty," in *Cosmopolitanism*, ed. Cheah and Robbins, 45–58.
37. LPWH, 54.
38. See, for instance, Claude Ake, "The African Context of Human Rights"; Roger T. Ames, "Rites as Rights: The Confucian Alternative"; and Kenneth K.

Inada, "A Buddhist Response to the Nature of Human Rights," all in *Applied Ethics: A Multicultural Approach*, ed. Larry May et al., 3rd ed. (Upper Saddle River, NJ: Prentice-Hall, 2002).

39. PS, 51.

40. PR, §343.

41. LPWH, 56, amended.

42. Susan Buck-Morss concludes the critique of Hegel she advances in "Hegel and Haiti" with the following question: "What if every time that the consciousness of individuals surpassed the confines of the present constellations of power in perceiving the concrete meaning of freedom, *this* were valued as a moment, however transitory, of the realization of absolute spirit?" Buck-Morss, "Hegel and Haiti," 865. Without here disputing her assertions either about Hegel's blindness to the historical realities of slavery or the limitations in his general treatment of world history, I would simply note that attention to processes whereby individuals do surpass the confines of the present is a component in his own account of the logic of a history.

43. EM, §394.

44. PR, §248.

45. Ibid.

46. See Erzsébet Rózsa, "'Versöhnlichkeit' als europäisches Prinzip: Zu Hegels Versöhnungskonzeption in der Berliner Zeit," in *Vermittlung und Versöhnung: Die Aktualität von Hegels Denken für ein zusammenwachsendes Europa*, ed. Michael Quante and Erzsébet Rózsa (Münster: LIT, 2001), 21–52. This point will be addressed more fully in the final section. Here, though, it can be noted that the very appeal to mutuality may itself reaffirm Western values. This is so not just for the obvious reason that mutuality is a two-way street, one that involves as much openness on the part of non-Western to Western cultures as the converse. It is also so in the sense that the very structure of mutuality may itself enforce a Western bias. Not only does reciprocal recognition, for Hegel, center, in origin as in goal, on the principle of subjective freedom; the very idea of reciprocity is rooted in a notion of freedom—*bei sich Selbst sein*—that for Hegel finds articulated expression in modern societies. Nor can this form of Western dominance be easily contested, because any challenge, be it in declarations of independence or claims to recognition, can affirm the structures of recognition in question. In this regard, Hegel anticipates the analyses of contemporary social theorists who assert that, under conditions of globalization, Western categories have become inescapable. Still, in also asserting the inescapability of structures of dialectical mediation, Hegel allows for a measure of cross-cultural dialogue that goes beyond any one-sided imposition of Western values on other cultures. On the inescapability of Western categories, see Chakrabarty, *Provincializing Europe*.

47. EM, §490.

48. LPWH, 90.

49. See Hennig Ottmann, "Die Weltgeschichte," in *Grundlinien der Philosophie des Rechts*, ed. Siep, 279f.

50. See Fred R. Dallmayr, *G.W.F. Hegel: Modernity and Politics* (Newbury Park, CA: Sage, 1993), 9.

51. LPWH, 93.

52. "We are what we are through history" (LHP, Vol. 1, 2).

53. PS, 492.

54. LPWH, 136.

55. See Karl Löwith, *From Hegel to Nietzsche*, trans. David E. Green (New York: Holt, Rinehart and Winston, 1964), 31–36.

56. PR, §346.

57. Ibid, emphasis added.
58. LPWH, 126.
59. LPWH, 128. The notion that for Hegel—unlike, say, for Kant—the application of concepts is part and parcel of the determination of the very content of those concepts has recently been affirmed by Robert Brandom. See Brandom, *Tales of the Mighty Dead*, 211–22.
60. LPWH, 130.
61. See, for instance, Dilip Gaonkar, ed., *Alternative Modernities* (Durham, NC: Duke University Press, 2001).
62. This seems to be the approach of Charles Taylor in “Two Theories of Modernity,” in *Alternative Modernities*, ed. Gaonkar, 172–96.
63. PR, §270.
64. *Vorlesungen über die Beweise vom Dasein Gottes*, 2.
65. For an important discussion of Hegel’s political writings as an exercise in civic education, see Dickey, *Hegel*.
66. LHP, Vol. 3, 593. None of this entails that Hegel renounces his strictures on philosophy “instructing” the world. Here, too, he remains committed to the view that philosophy has no direct (*unmittelbar*) effect on public life. See *Werke*, Vol. 17, 343f. Philosophers should not rule, nor should they be directly involved in shaping of public policy. However, philosophy can have bearing on the consciousness of those who do engage in these activities, and in this mediated sense—that fitting for a philosopher of mediation—it is appropriate.
67. See Kant, *Perpetual Peace*, 120f.
68. PR, §297A.
69. PR, §296, amended. For a treatment of the role of *Bildung* in the development of the Prussian bureaucracy (but one that does not consider Hegel), see Hans Rosenberg’s classic study *Bureaucracy, Aristocracy and Autocracy: The Prussian Experience 1660–1815* (Boston: Beacon Press, 1958), especially 182–92.
70. PR, §297A.
71. VPRHe, 258.
72. PR, §297. Hegel also refers to the corps of civil servants as “the intelligence and educated self-consciousness of a people.” See VRP, Vol. 1, 334.
73. VNSW, §§170, 265.
74. Alexandre Kojève, *Outline of a Phenomenology of Right*, ed. and trans. Bryan-Paul Frost and Robert Howse (Lanham, MD: Rowman & Littlefield, 2000).
75. For a discussion of this point with reference to current issues in international law and diplomacy, see Bryan-Paul Frost and Robert Howse’s “Introductory Essay” in Kojève’s *Outline of a Phenomenology of Right*, especially 18–24.
76. PR, §209; for the relationship of restricted and unrestricted accounts of spirit, see PR, §340.
77. VNSW, §170.
78. Marx, *Critique of Hegel’s Philosophy of Right*, 41–54.
79. LHP, Vol. 3, 552.
80. Compare PH, 442. In this regard, Hegel’s position bears interesting resemblance to that of Max Weber, whose theory of history is also often perceived as advancing objectivistically universalist claims about global development. He writes: “A product of modern European civilization studying the problem of universal history is bound to ask himself, and rightly so, to what combination of circumstances the fact should be attributed that in Western civilization, and in Western civilization only, cultural phenomena have appeared (*at least as we like to think* [emphasis added]) to lie on a line of development having *universal* significance and validity. See Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, trans. Talcott Parsons (New York: Scribner’s, 1958), 13.

81. However, he does claim that the “Oriental” image of the Phoenix provides a different model of historical development, one that—employing categories of nature rather than spirit—notes how the destruction of one culture contains the seeds for the transition to a new stage of development. See *LPWH*, 32.
82. Chakrabarty, *Provincializing Europe*.
83. Charles Taylor, *Modern Social Imaginaries* (Durham, NC: Duke University Press, 2004), 195f.
84. *PR*, §347.
85. See Chapter 10 in this book.
86. *PH*, 342.
87. In contrast to divine wisdom, *Weltweisheit* denotes human reason unaided by revelation and directed to the realities of finite experience. As Hegel notes, the term derives from the Middle Ages and was revived by Friedrich Schlegel and others, who sought to contrapose philosophy to religion and theology. Hegel himself utilizes the term, but rejects any rigid distinction between the spiritual and the secular. Such distinction is incompatible both with his view of the relationship of reason and revelation and his understanding of the divine, for which the infinite can and must find expression in finite reality, particularly in human knowledge and self-consciousness. As a result, Hegel advances a particularly rich conception of worldly wisdom, one based on the comprehensive integration of spiritual and secular considerations. On his view, *Weltweisheit* entails, among other things, a conception of cross-cultural understanding that ascribes, at least in part, intrinsic or “infinite” worth to every particular culture. It also entails the concept of *Weltgeist*, according to which every specific culture not only can express with others a common principle, but can be seen as contributing to a shared global culture, one that tendentially takes the form of a global consciousness. For Hegel’s discussion of the concept of “worldly wisdom,” see *LHP*, Vol. 1, 60f.
88. *PR*, §247.
89. *PR*, §209.
90. *PR*, §247.
91. *PR*, §248A.
92. *PR*, §187A, trans. amended
93. This issue especially as it relates to Kant is the basis for an exchange between Seyla Benhabib and Jeremy Waldron, in Seyla Benhabib, *Another Cosmopolitanism* (Oxford: Oxford University Press, 2006).
94. For an instructive discussion of Hegel’s account of *Bildung* as its bears not only on the civic responsibilities of an educated citizenry but “the problem of the intercourse of peoples and cultures,” see Erzsébet Rózsa, “Bildung und der ‘rechtschaffene Bürger’: Zu Hegels Bildungstheorie im Rahmen seiner Konzeption der bürgerlichen Gesellschaft in der Rechtsphilosophie,” in *Hegels Konzeption praktischer Individualität. Von der “Phänomenologie des Geistes” zum enzyklopädischen System* (Paderborn, Germany: Mentis, 2007), 85–102.
95. *PR*, §339.
96. *PR*, §337.
97. *PR*, §340.
98. *Ibid.*
99. Philosophical historiography “has not to do with what is gone but with the living present” (*LHP*, Vol. 1, 39; see also 3).
100. Ulrich Beck, *Cosmopolitan Vision*, trans. Ciaran Cronin (Cambridge: Polity Press, 2006), 171.

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